

PLEASE CLICK ON THE COUNTY OF LOS ANGELES SEAL  
TO RETURN TO THIS PAGE

[CLICK HERE FOR THE CHIEF EXECUTIVE OFFICER'S REPORT DATED MAY 14, 2017](#)

[CLICK HERE FOR THE DIRECTOR OF CONSUMER AND BUSINESS AFFAIRS REPORT DATED  
FEBRUARY 24, 2020](#)



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

SACHI A. HAMAI  
Chief Executive Officer

Board of Supervisors  
HILDA L. SOLIS  
First District  
MARK RIDLEY-THOMAS  
Second District  
SHEILA KUEHL  
Third District  
JANICE HAHN  
Fourth District  
KATHRYN BARGER  
Fifth District

March 14, 2017

To: Supervisor Mark Ridley-Thomas, Chairman  
Supervisor Hilda L. Solis  
Supervisor Sheila Kuehl  
Supervisor Janice Hahn  
Supervisor Kathryn Barger

From: Sachi A. Hamai  
Chief Executive Officer

## **LEGAL REPRESENTATION FOR LOS ANGELES COUNTY RESIDENTS FACING REMOVAL (ITEM NO. 5, AGENDA OF DECEMBER 20, 2016)**

On December 20, 2016, this Board directed the Chief Executive Officer (CEO), in consultation with County Counsel, to collaborate with State and local governments, as well as private stakeholders, to prepare to launch a coordinated initiative to provide representation to Los Angeles County residents currently at risk of removal and who cannot afford an attorney. The motion also directed the CEO to do the following:

- Identify and set aside \$1 million in the Fiscal Year (FY) 2016-17 budget process for this effort, and identify up to \$2 million in FY 2017-18 budget for the same purpose, with these funds to be disbursed only if other public and private stakeholders contribute a proportional share, subject to the future determination of the Board;
- Have as its primary mission to ensure that Los Angeles County communities and families are not devastated and torn apart by aggressive immigration enforcement without access to due process through legal representation;
- Operate via contracts with one or more nonprofit legal services providers or with a nonprofit agency to administer funding to nonprofit legal services organization subcontractors or other classes of providers that might be authorized by the State through enactment of the Due Process for All Act; and in determining providers, either through a competitive solicitation or, if necessary due to urgency, a sole source process, priority should be given to providers that have been established for at least five years or that have been or are currently Federal or State contractors or subcontractors for immigration representation; and

- Include an independent evaluation of the program’s effectiveness and fiscal and economic impacts, and report back to the Board within two years of the program launch date.

Finally, Supervisor Solis clarified that priority may be given to the most vulnerable groups, such as unaccompanied minors, Deferred Action for Childhood Arrivals (DACA)/Deferred Action for Parents of Americans (DAPA) beneficiaries, veterans and refugees, and requested that any reports from the CEO and County Counsel identify the most vulnerable populations and the feasibility of expanding the scope to include additional populations.

In this report we provide an update on Executive Orders issued by the President; an update on activities of the Los Angeles Legal Justice Fund; a summary of options for identifying the most vulnerable populations who may receive assistance under the County’s share of the legal justice fund; and a road map for next steps. County Counsel has advised our office that it is not aware of any legal impediment to setting priorities for access to legal services offered in connection with the Los Angeles Legal Justice Fund so long as those priorities do not discriminate against individuals based on a protected class.

*Presidential Executive Orders Impacting Federal Immigration Policy*

On January 25, 2017, President Trump signed three Executive Orders each relating to immigrant populations. Relevant provisions and other information relating to each Executive Order is summarized in the table below.

Executive Order (EO)	Summary of Directives
<p><b><i>Border Security and Immigration Enforcement Improvements (EO 13767)</i></b></p> <p><i>January 25, 2017</i></p>	<p>Directs the Secretary of Homeland Security to:</p> <ul style="list-style-type: none"> <li>• Begin planning, designing and constructing a wall along the U.S. Mexico border, including identifying available federal funds and working with Congress for additional funding;</li> <li>• Construct and operate detention facilities near the border to adjudicate asylum claims, subject to the availability of existing funding;</li> <li>• Hire 5,000 additional Border Patrol agents, subject to the availability of existing funding;</li> <li>• End the “catch and release” policy, where individuals are released in the U.S. after their apprehension for violations of immigration law;</li> <li>• Quantify all “sources” of direct and indirect Federal aid or assistance to the Government of Mexico on an annual basis over the past five years; and</li> <li>• Take action to empower state and local law enforcement to act as immigration officers.</li> </ul>
<p><b><i>Enhancing Public Safety in the Interior of the United States (EO 13768)</i></b></p> <p><i>January 25, 2017</i></p>	<p>Directs the Secretary of Homeland Security to:</p> <ul style="list-style-type: none"> <li>• Prioritize certain undocumented immigrants for removal, including those with criminal convictions and those who have only been charged with a crime;</li> <li>• Hire 10,000 additional immigration officers at U.S. Immigration and Customs Enforcement, subject to the availability of existing funding;</li> <li>• Prohibit federal funding, with the help of the attorney general, to “sanctuary” jurisdictions, where local officials have declined to help enforce federal immigration laws;</li> <li>• Reinstate the Secure Communities program, which was terminated in 2014 and enables state and local law enforcement to effectively act as immigration agents;</li> <li>• Sanction countries, with the help of the Secretary of State, that refuse to accept the return of undocumented immigrants deported from the U.S.;</li> </ul>

	<ul style="list-style-type: none"> <li>• Create a list, updated weekly, of crimes committed by undocumented immigrants in sanctuary jurisdictions; and</li> <li>• Create an “Office for Victims of Crimes Committed by Removable Aliens” to “provide proactive, timely, adequate and professional services to victims of crimes committed by removable aliens and family members of such victims.”</li> </ul>
<p><b><i>Protecting the Nation from Foreign Terrorist Entry into the United States (EO 13769)</i></b></p> <p><i>January 27, 2017 (RESCINDED)</i></p>	<ul style="list-style-type: none"> <li>• Suspend entry of Syrian refugees until President has determined admission is consistent with the national interest;</li> <li>• Suspend for 120-days Refugee Admission Program;</li> <li>• Suspend entry of 50,000 refugees in Federal Fiscal Year 2017 until President has determined admission is consistent with the national interest;</li> <li>• Suspend for 90-days, entry of immigrants and nonimmigrants from countries (i.e. Iraq, Iran, Syria, Yemen, Sudan, Libya and Somalia); and</li> <li>• Suspend the Visa Interview Waiver Program and ensure compliance with Section 222 of the INA, 8 U.S.C. 1202, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.</li> </ul>
<p><b><i>Protecting the Nation from Foreign Terrorist Entry into the United States</i></b></p> <p><i>March 6, 2017</i></p>	<ul style="list-style-type: none"> <li>• Rescinds Executive Order 13769;</li> <li>• Suspend for 120-days Refugee Admission Program and entry of 50,000 refugees in Federal Fiscal Year 2017 until President has determined admission is consistent with the national interest; the indefinite bar on all Syrian entry has been removed.</li> <li>• Suspend for 90-days, entry of immigrants and nonimmigrants from countries (i.e. Iran, Syria, Yemen, Sudan, Libya and Somalia); <u>Iraqi Citizens are no longer subject to this order;</u></li> <li>• Suspend the Visa Interview Waiver Program and ensure compliance with Section 222 of the INA, 8 U.S.C. 1202, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions;</li> <li>• Clarifies that this Executive Order does NOT Apply to visa holders, legal U.S. permanent residents, or individuals who have dual citizenship in a non-designated country. It applies only to individuals who are outside the United States on the effective date of the new order;</li> <li>• The preference for religious minorities in refugee admissions has been removed; and</li> <li>• The new order has a 10-day implementation delay, and its effective date is March 16, 2017.</li> </ul>

Various legal challenges from across the country have impeded full implementation of the Executive Orders. The legal viability of the various provisions within the Executive Orders is uncertain. However, issuance of the orders has provided a better context for identifying the “most vulnerable populations.” Before discussing the most vulnerable populations, we first provide an overview of the resources dedicated to this effort and the source of those funds.

### **The Los Angeles Legal Justice Fund**

The Los Angeles Legal Justice Fund (LALJF) is a collaboration between the government and philanthropy to provide funding for legal assistance to County immigrant residents at risk of deportation. Specifically, on December 20, 2016, this Board committed up to \$3 million to this effort, contingent on funding commitments from our public and philanthropic partners. Each LAJLF partner has committed to the following funding as follows: The City of Los Angeles (\$2M), The California Community Foundation (\$1.2M), The Weingart Foundation (\$1M), and a Pooled Fund (\$2.08M); comprised of funding from The California Community Foundation, The California Endowment, and the James Irvine Foundation. The CEO has been in communication with our partners to identify and address logistical issues that need to be resolved in order to operationalize the LALJF. All members of the LALJF acknowledge that need for this service exceeds available resources. Given this reality, one fundamental issue is how to best allocate the resources of the

LALJF, including the question of who should receive services under the fund. This report attempts to provide this Board with options for identifying the most vulnerable populations.

**Identification of the Most Vulnerable Populations**

In response to the Board’s request to consult with stakeholders, identify the most vulnerable populations, and address the feasibility of expanding the scope of persons who may receive services under the County’s share of the LALJF, the CEO convened several meetings with various immigration advocacy groups and philanthropy. In our discussions with advocates, they expressed a strong preference for a universal representation model for immigrants in deportation proceedings, regardless of criminal history. They reasoned that representation should be a fundamental right.

Based on conversations with advocates, LALJF partners and stakeholders, research of other models, and the dynamic political landscape at the federal level, we developed options for your Board to consider for the provision of legal representation to County immigrant residents. For each option identified below, this Board has already set forth basic minimum requirements, they are: 1) County immigrant resident, 2) at risk of removal, and 3) unable to afford an attorney.

<b>Option 1: Align County’s Program With State’s Proposed Model</b>	
<b>Proposal Description</b>	<b>Populations Covered</b>
<p>This model aligns with the proposed Senate Bill 6 State program, which would provide legal representation to individuals in removal proceedings.</p> <p>Current bill amendments, specifically state that funds provided via contracts with non-profit legal services organizations, <u>may be used</u> to provide services to individuals who have been convicted of a violent crime, as defined in Section 667.5 of the Penal Code, only if the legal services provider determines that individuals have a potentially meritorious claim for relief or defense from removal.</p>	<p>All persons meeting class description above but <b>excludes:</b></p> <ul style="list-style-type: none"> <li>Those convicted of a violent crime, as defined by Penal Code Section 667.5. who do not have a meritorious claim for relief or defense from removal, as determined by the legal services provider.</li> </ul>
<b>Notable Strengths</b>	<b>Notable Challenges</b>
<p>This option would align the County’s efforts with the State’s program. Aligning requirements for services with the State’s statutory scheme could avoid contradictory requirements for legal service providers and confusion among immigrant residents.</p>	<p>There should be a clear definition of what constitutes a meritorious claim.</p>

<b>Option 2: Strict Prioritization Model</b>	
<b>Proposal Description</b>	<b>Populations Covered</b>
<p>Services are provided to individuals based on a general prioritization model.</p>	<p>All persons meeting basic requirements in addition to membership in one of the categories below:</p> <ul style="list-style-type: none"> <li>Long-term residents (e.g. DACA, veterans, etc.),</li> <li>Protection based claims (e.g. refugees),</li> <li>Related to a citizen or a green-card holder (e.g. DAPA).</li> </ul>

<b>Option 2: Strict Prioritization Model</b>	
<b>Notable Strengths</b>	<b>Notable Challenges</b>
This model enables policy makers to ensure that the populations they believe face a higher risk of removal can be served while simultaneously being inclusive of other County resident immigrants at risk of removal.	This will require legal organizations to conduct an assessment to determine eligibility which could cause delays in providing services. This model may be time intensive for legal service providers and can cause confusion for individuals seeking services as they wait to learn whether they qualify for the program and whether the provider can and will represent them. This model does not necessarily focus on those who are most vulnerable as defined by their relative risk of removal.

<b>Option 3: Hybrid Model</b>	
<b>Proposal Description</b>	<b>Populations Covered</b>
This model provides resources to both detained and non-detained persons.	All persons meeting basic requirements including: <ul style="list-style-type: none"> <li>• DACA/DAPA,</li> <li>• Veterans, and</li> <li>• Refugees.</li> </ul>
<b>Notable Strengths</b>	<b>Notable Challenges</b>
This proposal splits funding resources between two classes: those currently detained and those not detained but involved in removal proceedings. It attempts to address both limited resources and the likelihood that a non-detained person may face a higher risk of removal than someone currently detained.	This model faces the same challenges identified in Options 2 and 4. However, the challenges are less prominent since the strengths of one model can help mitigate the weaknesses in the other model and vice versa.

<b>Option 4: Universal Coverage For Those in Detention</b>	
<b>Proposal Description</b>	<b>Populations Covered</b>
This model provides legal services to detained County immigrant residents on a first-come, first-serve basis. <sup>1</sup>	All persons meeting basic requirements including: <ul style="list-style-type: none"> <li>• DACA/DAPA,</li> <li>• Veterans, and</li> <li>• Refugees</li> </ul>
<b>Notable Strengths</b>	<b>Notable Challenges</b>
This model recognizes that resources are limited and attempts to allocate resources based on a broad basis (i.e. detention).	Prioritizing detained persons does not address those non-detained immigrants who may face an even higher risk of removal due to recent changes in federal immigration policy.

<b>Option 5: Universal Coverage</b>	
<b>Proposal Summary</b>	<b>Immigrant Populations Covered</b>
This proposal provides legal services to all who qualify on a first-come, first-serve basis.	All persons meeting basic requirements including: <ul style="list-style-type: none"> <li>• DACA/DAPA,</li> <li>• Veterans, and</li> <li>• Refugees.</li> </ul>

<sup>1</sup> A review of available data, showed that over a three-year period from 2012-2015, 68% of detained individuals (9,000 individuals) and 26% of non-detained immigrants (over 12,000 individuals) lacked counsel in Los Angeles. Detained individuals without legal representation succeed only 6% of the time in removal proceedings, while those who have legal representation succeed more than five times as often. Non-detained individuals without legal representation succeed 21% of the time in removal proceedings, when represented they succeed over four times as often as unrepresented immigrants. Source: *California's Due Process Crisis: Access to Legal Counsel for Detained Immigrants*, California Coalition for Universal Representation, June 2016.

<b>Option 5: Universal Coverage</b>	
<b>Notable Strengths</b>	<b>Notable Challenges</b>
<p>This model treats all persons who otherwise qualify for legal representation services the same. This obviates the need for an extensive intake process. A minimal intake process enables a legal service provider to spend more time providing legal services and less time assessing whether a person meets qualifications over and above the basic minimum requirements set forth by the Board. Finally, this model avoids what may be perceived as the difficult task of prioritizing vulnerable populations.</p>	<p>This model makes no distinction between a person at imminent risk of removal and a person remotely at risk of removal. In this way, this model does not fully appreciate limited funding and the County's obligation to ensure that public funds are used both efficiently, as well as effectively.</p> <p>Due to limited funding, and the fact that certain immigrant populations appear to be closer to deportation than others, some level of prioritization is appropriate.</p>

<b>Option 6: LALJF Proposed Model</b>	
<b>Proposal Summary</b>	<b>Immigrant Populations Covered</b>
<p>This proposal provides legal services for targeted priority populations, including detained individuals. It is similar to Option 2, but includes broader selection criteria.</p>	<p>All persons meeting basic requirements including:</p> <ul style="list-style-type: none"> <li>• Individuals with community ties to Los Angeles (e.g., family members who are U.S. citizens, Lawful Permanent Residents and DACA recipients);</li> <li>• Heads of households with one or more dependent family members;</li> <li>• Unaccompanied children and young adults who arrived as children;</li> <li>• Veterans;</li> <li>• Protection-based claims; and</li> <li>• Victims of crime, domestic violence, and trafficking.</li> </ul>
<b>Notable Strengths</b>	<b>Notable Challenges</b>
<p>This model recognizes that resources are limited and attempts to support operational efficiency for legal service providers, by allowing them to spend more time on providing legal services.</p>	<p>This model does not necessarily focus on those who are most vulnerable as defined by their relative risk of removal.</p>

The CEO has worked with stakeholders to develop ways to identify “the most vulnerable populations” within the County immigrant community. The L.A. Justice Fund partners are considering a priorities-based model (Option 6) that encompasses many of the options and populations included in this report. The County has limited resources and must balance resources among the Board’s other competing priorities. Given these realities, no single option will meet the needs and interests of all stakeholders. However, we have provided this Board with options which can serve as a platform for the Board to adopt more specific policy and guidance in this very important area.

**Next Steps**

The CEO is currently working with our LALJF partners to develop an agreement to distribute the County’s share of the LALJF and operationalize the legal representation program envisioned by this Board. The CEO requires further guidance on which model the Board believes is best suited to implement its vision for the County’s share of the LALJF. The CEO requests that this Board direct the CEO on whether to prioritize those who may receive services from the County’s share of the LALJF, and if so, identify which prioritization model the Board believes is most appropriate given current circumstances.

Each Supervisor  
March 14, 2017  
Page 7

Please let me know if you have any questions, or your staff may contact Fesia Davenport, Assistant Chief Executive Officer at (213) 974-1186 or via e-mail at [fdavenport@ceo.lacounty.gov](mailto:fdavenport@ceo.lacounty.gov).

SAH:JJ:FAD:

AU:pa

H:\STRAT\_INTEG\Immigration Task Force\Reports\FINAL DRAFT Immigration Report Back Memo 0306017 Version II.pdf.docx

c: Executive Office, Board of Supervisors  
County Counsel  
Consumer and Business Affairs





BOARD OF SUPERVISORS

Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

---

## COUNTY OF LOS ANGELES DEPARTMENT OF CONSUMER AND BUSINESS AFFAIRS

---

*"To Enrich Lives Through Effective and Caring Service"*



Joseph M. Nicchitta  
Director

Joel Ayala  
Chief of Staff

Rafael Carbajal  
Chief Deputy

February 24, 2020

TO: Supervisor Kathryn Barger, Chair  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Janice Hahn

FROM: Joseph M. Nicchitta, Director  
Department of Consumer and Business Affairs

### **TWO-YEAR REPORT – LEGAL REPRESENTATION FOR LOS ANGELES COUNTY RESIDENTS FACING REMOVAL (ITEM NO. 5, AGENDA OF DECEMBER 20, 2016)**

#### **I. BACKGROUND**

Home to 10.4 million people, the County of Los Angeles (County) is the most populous county in the nation. With nearly 3.5 million residents having been born outside the United States, the County is also home to the largest immigrant population in any region in the country.<sup>1</sup> This dynamic immigrant population is deeply integrated, both socially and economically, into County life. County immigrant residents make up 40 percent of the County's workforce, run small businesses that generate 40 percent of the County's self-employed income, and pay billions of dollars in federal taxes every year.<sup>2</sup> Additionally, nearly 60 percent of children born in the County today have at least one immigrant parent, and 44 percent of County households are headed by an immigrant.<sup>3</sup>

---

<sup>1</sup> [https://dornslife.usc.edu/assets/sites/731/docs/LOSANGELES\\_web.pdf](https://dornslife.usc.edu/assets/sites/731/docs/LOSANGELES_web.pdf).

<sup>2</sup> [http://research.newamericaneconomy.org/wp-content/uploads/2017/02/LA\\_Brief\\_V8.pdf](http://research.newamericaneconomy.org/wp-content/uploads/2017/02/LA_Brief_V8.pdf).

<sup>3</sup> See supra, note 1.

Recognizing the vital contributions of immigrants, the County's leadership has made a bold commitment to advancing equity and due process for its immigrant residents and their families. Your Board has declared immigration a County Priority, the most significant designation, placing it alongside the County's commitment to fighting homelessness, supporting justice reform and child protection, and promoting environmental and healthcare priorities.<sup>4</sup>

However, federal immigration enforcement and the implementation of various anti-immigrant policies and proposals put many of the County's approximately 1.9 million non-citizen residents at high risk of deportation. This includes lawful permanent residents, refugees and asylees, Deferred Action for Childhood Arrivals recipients, and nearly one million undocumented people.<sup>5</sup>

Despite the high complexity of immigration proceedings and the grave consequences that deportation inflicts on this community, immigration court cases are the only legal proceedings in the U.S. where detained people are required to defend themselves without the right to a government-provided attorney. Individuals who are able to secure legal representation and, by consequence, due process, are more than five times more likely to obtain positive immigration relief.

In response to the urgent and growing need for immigration legal representation, on December 20, 2016, your Board directed the Chief Executive Officer (CEO), in consultation with County Counsel, to collaborate with public and private stakeholders to launch a coordinated initiative to provide representation to County residents at risk of removal and who cannot afford an attorney.

In executing your Board's directive, CEO partnered with the City of Los Angeles, the California Community Foundation (CCF), and the Weingart Foundation to design and launch the Los Angeles Justice Fund (LAJF), a **two-year public-private pilot**, to:

1. Provide immigration legal representation to the most vulnerable County immigrant residents (i.e., unaccompanied minors, Deferred Action for Childhood Arrivals (DACA) recipients, veterans, refugees);
2. Strengthen removal defense capacity in the County by supporting immigrant-serving organizations and creating a safety net to expand and protect the rights and due process for immigrants and their families and communities; and

---

<sup>4</sup>L.A. Cty., Cal., <http://file.lacounty.gov/SDSInter/bos/supdocs/116864.pdf>

<sup>5</sup> See *id.*

3. Learn the scope and nature of the unmet need to provide immigration legal representation to the County's immigrant residents at risk of removal and who cannot afford an attorney.

To implement the LAJF pilot, the County entered into an agreement with CCF in July 2017, to serve as the LAJF third-party administrator. By November 2017, CCF awarded grants to 16 legal service providers to provide direct immigration legal services to eligible County immigrant residents, as well as strengthen immigration removal defense. The Los Angeles County Office of Immigrant Affairs (OIA) housed within the Department of Consumer and Business Affairs (DCBA), was designated to oversee the County's involvement in the LAJF pilot. LAJF grantees began serving clients in January 2018, about one month after receiving their respective grant allocations.

## **II. MEASURING THE PILOT PROGRAM**

Your Board requested an independently-authored Year One Evaluation Report (Evaluation Report) that assessed LAJF pilot's effectiveness, fiscal and economic impacts, as well as an additional report back within two years of the program's launch date. The LAJF pilot administrator, CCF, contracted the Vera Institute of Justice (Vera), which has extensive experience administering similar programs, to collect and analyze program data and prepare the Evaluation Report.

The Evaluation Report evaluated the LAJF from January 1 – December 31, 2018, the first year of service delivery under the program. It measured performance in areas that include building and launching the pilot, expanding capacity, and client service delivery.

While the LAJF pilot had not been operational long enough for Vera's assessment to determine the full scope of the program's impact, the Evaluation Report identified several areas where the pilot has already achieved a positive impact. The Evaluation Report also made recommendations to strengthen the LAJF program should it be continued.

## **III. KEY FINDINGS**

Attached to this memo are the following support documents:

1. Vera's Evaluation Report;
2. LAJF Quarter Seven Report, also prepared by Vera, which includes data through September 30, 2019; and
3. A DCBA/OIA Report summarizing the Evaluation Report and the Quarter Seven Report.

The Evaluation Report found that the LAJF pilot has had positive impacts in the first year of the program by affording due process to immigrants at risk of removal. These findings, supported by the data in the Quarter Seven Report, include:

1. Due process provided to vulnerable clients with deep ties to the County:
  - 1,600 people have been screened for legal consultation and referrals;
  - 517 cases have been accepted for representation, exceeding the pilot's goal to serve 500 clients;
  - 24 percent of clients were minors at the time representation began;
  - 14 years is the average number of years clients have lived in the U.S.;
  - Nine out of 10 clients were identified as having a vulnerability, such as crime victimization, domestic violence, or human trafficking;
  - 30 percent of clients were detained when representation began, and attorneys secured bond release for 23 percent of them; and
  - 48 percent of clients with cases completed received positive outcomes. This compares a nationwide average of only five percent for people who do not have an attorney.
2. LAJF strengthened removal defense capacity and increased efficiencies:
  - Increased coordination between organizations providing immigration legal services yielded increased efficiencies;
  - Building a removal defense pipeline increased and improved technical assistance and training; and
  - Data collection and evaluation strengthened program outcomes.
3. The benefits of LAJF representation extend beyond clients to their families and social networks.
4. Grantees maintained high caseloads even during the start-up year when the program was getting off the ground.

5. LAJF has laid the foundation for a robust and collaborative deportation defense network across the County.
6. LAJF has the potential to advance equity and due process for County immigrant residents at high risk of removal who cannot afford a lawyer.

#### **IV. EVALUATION REPORT'S RECOMMENDATIONS**

The Evaluation Report recommends several modifications to the program, including:

1. Adjust eligibility requirements to serve more vulnerable clients.

The County requested that funds be used only to represent County residents, as defined. However, the Evaluation Report found that some vulnerable people – persons in detention with no access to their documents, unaccompanied/separated children, asylum seekers, homeless residents – may not be able to produce documents needed to establish residency eligibility, which would render them ineligible. In those cases, an affidavit affirming residency could serve as a substitute for documentation.

2. Advance merit-blind representation to provide due process for all.

LAJF can promote a due process for all by advancing a model that ensures all immigrants have equal access to representation, regardless of characteristics, including criminal history, and case merits. Focusing on due process will provide immigrants who have a legal right to remain in the U.S. the best avenue to assert that right, and allow those who have no right to relief, and their families, consultation and support as they work their way through the deportation process.

3. Reduce reporting requirements.

Grantees were required to collect hourly billing data for County-funded cases. Collecting this level of data makes sense at the beginning of a new program. However, greater efficiencies can be achieved by reducing data collection activities that take time away from attorneys and staff that could be used to directly serve clients. Instead, data collected through the pilot can be used to inform appropriate rates or effort levels to determine funding for caseload ranges.

4. Consolidate reporting and program oversight.

Because Vera and CCF are coordinating program oversight, reporting, and programmatic technical assistance, it is at times difficult to ensure adequate follow-up on data entry issues or even programmatic challenges. Consolidating these functions in a single program management organization could yield greater efficiencies.

5. Consolidate the number of grantees and commit to sustained funding.

The pilot funding was distributed across a wide range of organizations whose work supports deportation defense. Going forward, grantors should consider consolidating higher levels of funding among a smaller pool of organizations best aligned with LAJF's vision. Additionally, if funders can commit to fund the program for a longer period of time, grantees would be better able to manage workloads.

## **V. PROGRAM NEXT STEPS**

The LAJF pilot is scheduled to conclude on June 30, 2020, as grantees spend down their available funding. Some organizations have already spent down all available funding. To support grantees to continue to represent clients in cases that have not yet concluded, CCF and the Weingart Foundation have allocated \$2 million for gap funding.

If your Board wishes to pursue the creation of an ongoing program to provide immigration legal representation to the County's immigrant residents who are at risk of removal and cannot afford an attorney, your Board should consider directing DCBA/OIA to:

1. Submit a recommended plan for a program model to your Board:

The plan will be developed in partnership with an organization or organizations that have proven experience in developing and implementing sustainable programs to provide immigrants and their families with the following services in a culturally, linguistically, and immigration-appropriate manner:

- a. Immigration legal representation;
- b. Robust case management; and
- c. Wraparound support services.

The creation of such a plan should include, to the extent possible, the collaboration of local, state, and federal governments, philanthropic partners, legal immigration services providers, and other strategic stakeholders.



To ensure the viability and continuity of any proposed model, the plan should also identify funding sources that are attainable and come from diversified sources (i.e., public, philanthropic, and private).

2. Complete and sunset the LAJF pilot in anticipation of transitioning to a new model, including:
  - a. Extending the pilot program for one more year through June 30, 2021, to allow current pilot grantees to complete their existing caseload and plan whether they have the interest and capacity to participate in the new program.
  - b. Identifying gap funding for grantees to complete their existing caseloads. In our consultation with CCF and current grantees, they estimated that an additional County investment of \$1 million, in addition to the \$2 million provided by CCF and the Weingart Foundation, would give grantees adequate time through Fiscal Year 2020-21 to complete their existing caseload.
3. Identify an organization that has the capacity to administer, measure, and expand the proposed new program. This includes the organization having the capacity to secure in-kind contributions from interested parties, secure funding from diverse sources, and align the program's objectives with those of the County's leadership.

DCBA has worked very closely with the City of Los Angeles (City) in implementing the LAJF two-year pilot and continues to work with the City on potential next steps for the pilot, including sunsetting the program, bridge funding, and developing a model for the continuation of a sustainable program. Collaboration with the City ensures that everyone's objectives align in meeting the immigration legal representation needs of County immigrants at risk of deportation and who cannot afford an attorney.

If you have any questions or need additional information, please contact me or Rigo Reyes, Executive Director of the Office of Immigrant Affairs, at (213) 974-9758 or [rreyes@DCBA.lacounty.gov](mailto:rreyes@DCBA.lacounty.gov).

JMN:RC  
RR:rld

c: Executive Officer, Board of Supervisors  
Chief Executive Officer  
County Counsel



# LOS ANGELES JUSTICE FUND REPORT

(Updated: February 24, 2020)

## BACKGROUND:

In December 2016, the Los Angeles County (County) Board of Supervisors (Board) joined a public-private effort with the City of Los Angeles and the philanthropic community to create the **Los Angeles Justice Fund (LAJF)**, a two-year **pilot program**, to provide legal representation to County residents who are at risk of removal and who cannot afford an attorney. The Board’s mission for the LAJF pilot was to, “Ensure that County communities and families are not devastated and torn apart by aggressive immigration enforcement without access to due process through legal representation.”

In July 2017, the County entered into an agreement with the California Community Foundation for them to serve as the LAJF third-party administrator. In November 2017, CCF awarded grants to 16 legal service providers to provide immigration legal services to eligible County immigrant residents.

The Los Angeles County Office of Immigrant Affairs in the Department of Consumer and Business Affairs monitors the County’s participation in the LAJF.

## LAJF FUNDING: \$10 MILLION

The LAJF’s goal is to raise \$10 million to fund the two-year pilot program from January 1, 2018 to December 31, 2019. Current progress is as follows:

PARTNER:	AMOUNT:	STATUS:
Los Angeles County	\$3 Million	Contributed
Los Angeles City	\$2 Million	Contributed
Philanthropy (California Community Foundation/Weingart Foundation)	\$5 Million	\$2.9 Million Contributed As of Dec. 2019, \$2 Million identified as gap funding

## ELIGIBILITY: COUNTY-FUNDED CASES

### MINIMUM ELIGIBILITY CRITERIA:

- Residents of Los Angeles County, and
- Income not exceeding 200% of the Federal Poverty Level, and
- At risk of removal
  - Currently detained
  - Recently arrested by ICE
  - In removal proceedings
  - Subject to a final removal order

**NOTE: Children separated from their families at the U.S./Mexico border and their parents, legal guardians and sponsors who have ties to Los Angeles County are also eligible if they meet income guidelines.**

### PRIORITIZATION CRITERIA:

- Individuals with community ties to the County (e.g., family members who are U.S. citizens, lawful permanent residents or Deferred Action for Childhood Arrivals members;
- Heads of Households with one or more dependent family members;
- Unaccompanied children and young adults who arrived as children;
- Veterans;
- Individuals with protection-based claims; and/or
- Victims of crime, domestic violence, and human trafficking.

### CRIMINAL HISTORY EXCLUSION:

Services shall not be provided to individuals who have been convicted of, or who are currently appealing a conviction for a violent felony, as defined in subdivision (c) of Section 667.5 of the California Penal Code.

**NOTE: LA City funding may be used if the attorney certifies that the client has a viable case, as defined.**





# LAJF CLIENTS SERVED AND OUTCOMES

## JANUARY 1, 2018 – SEPTEMBER 30, 2019

The County’s MOU with CCF required that the **Vera Institute of Justice** (Vera) collect and evaluate data from the grant recipients and prepare an **Annual Evaluation Report**, covering **January 1 – December 31, 2018**. Vera subsequently submitted three additional quarterly reports reporting results through **September 30, 2019**. **This report includes results through September 30, 2019, as well as key highlights from the Vera’s Annual Report.**

LAJF CLIENTS BEING REPRESENTED (1/1/18 – 9/30/19): <b>517</b>					
	Removal Proceedings:	Children Cases:	Withholding of Removal Only:	Affirmative Cases:	Other:
<b>Detained:</b>	139		2	13	2
<b>Non-detained:</b>	215	93	2	31	20
<b>Totals:</b>	<b>354</b>	<b>93</b>	<b>4</b>	<b>44</b>	<b>22</b>

- In addition to the **517 clients** being represented, LAJF grantees have screened more than **1,600 people** for consultations and referrals.
- **Half** of the 517 cases are **County-funded** cases, and the other half are funded by LA City funds.
- **63 cases** have been completed with a **48 percent success rate** that allowed the clients to remain in the U.S. This compares to a nationwide success rate of **5 percent** for non-presented people.
- **82 percent** of clients were identified as having at least one vulnerability. Fear-based protections were the most frequent vulnerabilities identified. **42 clients** were identified as asylum seekers or potential beneficiaries of a complementary fear-based protection, while 140 clients with fear-based claims had at least one other vulnerability.
- **14 years:** Average time clients have lived in the United States.
- **24 percent** (122 cases) of clients were minors at the time representation started.
- Combined, clients being represented are parents of more than **75 children, 95 percent of whom are U.S. citizens.**
- 60 percent of clients represented were male, 35 percent were female, and 5 percent self-identified as other.
- Clients come from **32 different countries**, including Mexico, El Salvador, Guatemala, Honduras, Cambodia, the Philippines, Bangladesh, and Vietnam.
- **438 cases (85 percent)** are still open.



# LAJF CAPACITY BUILDING OUTCOMES

JANUARY 1 – DECEMBER 31, 2018

A goal of the LAJF is to strengthen capacity and efficiencies to better serve clients. Philanthropic funding under this category supports a number of nonprofit organizations that provide a range of services, including technical assistance, training, pro bono support and coordination, and psychological and medical evaluations. Below is a list of some major LAJF-funded services that bolstered removal defense capacity and legal services infrastructure.

- ❑ **Catholic Legal Immigration Network, Inc.:** Provides grantees technical assistance, training and mentorship to LAJF grantees. It also provides support on immigration policies, trends and topics impacting the removal defense field.
- ❑ **Program for Torture Victims:** Provides grantees medical and psychological forensic reports and expert witness testimony in the Los Angeles Immigration Court or Board of Immigration Appeals. Results include:
  - 19 psychological evaluations and 10 reports to LAJF detainees facing deportation.
  - 3 trainings for LAJF attorneys on the effects of trauma on immigrants.
  - Participation in the Los Angeles Rapid Response Network to assist with issues affecting immigrants.
- ❑ **Removal Defense Corps:** Grants to Southwestern Law Center and Loyola Immigrant Justice Clinic created a Removal Defense Corps to build a removal defense and placement program by providing legal training for law students and volunteer attorneys, placing removal defense cases with pro bono attorneys, and matching those attorneys with mentors.
- ❑ **One Justice** works to strengthen an Immigration Pro Bono Network (IPBN) to support pro bono removal defense. Through their IPBN collaborative, OneJustice increases the efficiency, effectiveness and capacity of removal cases among pro bono attorneys. Accomplishments include:
  - **California Pro Bono Matters:** In partnership with Esperanza Immigrant Rights Project, IPBN created an interactive online platform that lists immigration pro bono opportunities and enables attorneys to search and share available pro bono cases.
  - **Training workshops:** Provided 6 training workshops on how to recruit, train, supervise and retain volunteer attorneys.
  - **OneJustice Immigration Pro bono Network:** Created a website, Twitter account, and monthly newsletter to connect students and volunteers to training and volunteers provided by grantees and partner organizations.
  - **Pro bono Training Institute:** Created an online platform with free training modules for pro bono attorneys on how to effectively serve clients with special needs.



# LAJF KEY ACCOMPLISHMENTS

## JANUARY 1, 2018 – SEPTEMBER 30, 2019

- ❑ **LAJF is serving clients with deep ties to the Los Angeles County and is protecting vulnerable community members.**
  - Clients have resided in the United States an average of **14 years**, and more than 60 percent have lived in the Country for over a decade.
  - **Eight of 10** clients were identified as having a vulnerability such as crime victimization, domestic violence, human trafficking or homelessness.
  - **Thirty percent of clients were detained** when LAJF grantees took on their cases and **18 percent of clients were children** or former unaccompanied children at the time representation began.
  - Attorneys secured release for **23 percent of initially detained** clients, and have achieved **successful outcomes for 48 percent** of completed cases.
- ❑ **The benefits of representation through LAJF extend beyond clients to their families and social networks.** LAJF clients are parents of U.S. citizen children at approximately the same rate as native-born residents. As such the program's impact extends beyond its clients to their families, children, and communities.
- ❑ **Grantees have maintained high caseloads.** The program has maintained an average of 26 cases per organization, or an average of 22 open cases. This average caseload falls within the range of what grantees proposed would be feasible in the start-up year, between an average of 14.5 and 38 cases.
- ❑ **LAJF has laid the foundation for a robust and collaborative deportation defense network across Los Angeles.** Grantees have built capacity, hired and trained staff and qualified volunteers, established networks needed to run the program, strengthened stakeholder relationships, and created information sharing systems. Several grantees formed the Detained Collaborative to support each other's work in the Adelanto detention center. Grantees are cooperating on screenings and intakes, have set up a case referral system, and are supporting each other's work. Loyola and Southwestern Law Schools partnered to organize the Removal Defense Corps, a collaborative that builds legal capacity.
- ❑ **The need for deportation defense is tremendous in California, but evidence from Year One demonstrates that LAJF has the potential to change the landscape of unmet need in Los Angeles and lead the state and nation in providing due process to immigrants.** California has more pending immigration court cases than any other state in the country (approximately 153,000 cases), of which about one-quarter lack representation. More than half of all pending cases in California are in the Los Angeles courts. However, **the number of pending detained cases in need of urgent assistance in the Los Angeles area is under 1,000.** LAJF has the potential, with sustained and increased funding, to be a leader in the national immigration defense movement.



# LAJF FINANCIAL REPORT AND CONCLUSION

JANUARY 1, 2018 – SEPTEMBER 30, 2019

## LAJF FINANCIAL REPORT:

- ❑ The LAJF partners contributed **\$7.9 million** to the LAJF. This includes **\$3 million from the County of Los Angeles**, \$2 million from the City of Los Angeles, \$1,125,000 from the Weingart Foundation, and \$1,775,000 million from CCF. In December 2019, CCF and Weingart identified an additional \$2 million as gap funding to complete the LAJF while the stakeholders consider a long-term sustainable model.
- ❑ Of the \$7.9 million raised, LAJF has awarded \$7.4 million in grants for up to two years to 18 non-profit organizations that provide direct legal representation and strengthen removal defense capacity.
- ❑ As of September 30, 2019, grantees have spent **81 percent (\$4.4 million)** of the \$5.5 million awarded for **direct legal representation**, which is an average of **\$8,600 per case**, which is in line with the average cost per removal defense case.
- ❑ The amount LAJF grantees are spending per case under the LAJF is a reasonable amount despite the significant expenses incurred on the launching of the program, which included the recruitment, hiring, and training of removal defense attorneys. The overall capacity building improvement that is being created will pay dividends over time that is likely to result in a lower cost per case.

## LAJF PILOT CONCLUSION:

Immigration court cases are one of the only legal proceedings in the United States in which detained people are required to defend themselves without the right to a court-appointed attorney. This means most low-income people who cannot afford a private attorney appear in immigration court without legal representation. Yet, people are more than 10 times more likely to get positive immigration court outcomes permitting them to remain in the United States when they have attorneys.

In response to this due process crisis, a growing number of jurisdictions around the country have launched innovative public-private partnerships to fund deportation defense. LAJF is part of the growing momentum among local leaders committed to protecting their residents and enhancing public safety and trust in government by providing deportation defense.

In its two years of existence, the **LAJF pilot** has made considerable progress in affording **due process** to vulnerable immigrants and their families. This has been accomplished by expanding their access to direct legal representation and strengthening the delivery of wrap-around services available to them.

The LAJF pilot accomplished significant milestones, including notable strategic activities to onboard LAJF grantees, recruit and hire more than 40 removal defense attorneys and support staff, and develop reporting and infrastructure systems. These actions have laid the foundation to provide immigration legal representation and a sense of hope for the millions of immigrants and their families who have made the County their lasting home.

---

# Los Angeles Justice Fund: Year 1 Implementation Evaluation

Implementation Evaluation Report of the Los Angeles Justice Fund through December 2018

---

*Compiled by the Vera Institute of Justice for the California Community Foundation  
Updated June 18, 2019*

## Executive Summary

This report evaluates the implementation of the first year of the Los Angeles Justice Fund (LAJF). LAJF is a multi-sector and cross-governmental approach to address the pressing need for qualified legal assistance and defense among immigrants facing deportation proceedings. The Fund was launched in November 2017 as a partnership between Los Angeles County, the City of Los Angeles, the Weingart Foundation, and the California Community Foundation (CCF). The Fund has awarded grants for up to two years to 15 nonprofit agencies providing direct legal services and developing capacity for deportation defense in Los Angeles.<sup>1</sup>

Immigration court cases are the only legal proceedings in the United States in which people are routinely detained by the federal government and required to defend themselves against trained government lawyers without the right to a court-appointed attorney. This means that most low-income people who cannot afford private lawyers appear in immigration court without legal representation. Yet, individuals are 10.5 times more likely to receive successful immigration court outcomes permitting them to remain in the United States when they have attorneys.<sup>2</sup> In response to this due process crisis, a growing number of jurisdictions around the country have launched innovative public-private partnerships to fund deportation defense. LAJF is part of the growing momentum among local leaders committed to protecting their residents and enhancing public safety and trust in government by providing deportation defense.<sup>3</sup> LAJF does this by expanding access to attorneys for immigrants in Los Angeles who are apprehended and detained by immigration officials and subject to removal proceedings and/or with a final order of removal (deportation). In some instances, LAJF grantees also represents people facing imminent risk of deportation who need assistance before they are in immigration proceedings to access safeguards or protect their status in the United States. The Fund also supports organizations providing services such as legal trainings and mentoring programs for new removal defense attorneys in an effort to increase capacity in the field.

### Key Accomplishments in Year 1 of the Fund

- **LAJF is serving clients with deep ties to the United States and Los Angeles and is protecting vulnerable community members.** LAJF clients have resided in the United States an average of 15 years, and more than 60 percent of clients have lived in the country for over a decade.

---

<sup>1</sup> Throughout this report, “Los Angeles” refers to the City and County of Los Angeles, unless otherwise specified. Additionally, although only 15 grantees are discussed and analyzed in this report, CCF actually awarded a total of 18 grants, where the remaining three grantees are omitted from analysis in this evaluation. The grantees omitted from analysis are the Vera Institute of Justice (Vera), the Catholic Legal Immigration Network, Inc. (CLINIC), and the Nonprofit Finance Fund (NFF). This evaluation omits Vera and NFF because neither organization is contracted to work on or in direct support of deportation defense. Instead, Vera is contracted only to produce research and evaluations of LAJF, and NFF works to provide technical assistance pertaining to strengthening the financial capacity of LAJF grantees. Additionally, NFF did not join LAJF until June of 2018, meaning they were not part of the program for a significant portion of time covered in this evaluation. Similarly, CLINIC is omitted from analysis because the organization only recently joined the program, and was not a member for the vast majority of time that this report covers.

<sup>2</sup> Ingrid V. Eagly and Steven Shafer, “A National Study of Access to Counsel in Immigration Court,” *University of Pennsylvania Law Review* 164, no. 1 (2015), 1–19.

<sup>3</sup> See the “Safety and Fairness for Everyone (SAFE) Network” project page for examples of jurisdictions that have committed public and private funding to deportation defense programs: <https://www.vera.org/projects/safe-network/overview>.

Nine out of 10 clients were identified as having a vulnerability such as crime victimization, domestic violence, human trafficking, or homelessness, among others. Forty-two percent of clients were detained when LAJF grantees took on their cases and 16 percent of clients were children or former unaccompanied children at the time representation began. Attorneys have filed hundreds of motions and applications on their clients' behalf, have secured release for 23 percent of initially detained clients, and have achieved favorable outcomes for 41 percent of clients with completed court cases, allowing them to remain in the United States with their families and in the communities they call home.

- **The effects of immigration enforcement, and alternately, the benefits of representation through LAJF, extend beyond clients to their families and social networks, extending the impact of the Fund to local residents and communities.** LAJF clients are parents of U.S. citizen children at approximately the same rate as native-born residents, and as such the program's impact extends beyond its clients to families and children throughout Los Angeles. Similarly, LAJF grantees aided their clients with a range of issues ancillary to their immigration legal cases. Data from surveys and interviews show that protecting these vulnerable members of the community may also yield enhanced trust in government and broader benefits to public safety and even the local economy, though it is too soon to measure these potential impacts more expansively.
- **Grantees have maintained high caseloads even during the start-up year when programs were getting up to scale.** While each grantee's caseload composition looks different because of the different profiles of clients and cases each program is serving (e.g. children, detained adults, victims of violence), the program has maintained an average of 26 cases per organization over Year 1, or an average of 22 open cases per organization as of December 2018.<sup>4</sup> This is a surprisingly high number given some grantees were not fully staffed and/or did not begin taking cases until several months into the program. This average caseload falls within the range of what grantees proposed would be feasible in the start-up year, between an average of 14.5 and 38 cases. Though there is not yet enough research in the field for there to be a "gold standard" for determining caseloads in deportation defense work, these numbers are consistent, and perhaps even overly ambitious in some instances, relative to caseloads in other programs focused on deportation defense and detained adult representation in particular.
- **LAJF has laid the foundation for a robust and collaborative deportation defense network across Los Angeles.** Grantees have built capacity, hired and trained staff and qualified volunteers, established the foundation and networks needed to run the program, enhanced stakeholder relationships, and created and are using information sharing systems. Several grantees

---

<sup>4</sup> With 241 out of 291 cases still pending by the end of Year 1, not all the remaining 50 cases closed. Only 32 cases closed by the end of December 2018, and the remaining 18 are instances where the attorney withdrew.



formed the Detained Collaborative to support each other’s work in the Adelanto detention center, and LAJF funding has supported a fully operational rented workspace open to all LAJF grantees serving clients at the remote facility. Grantees are cooperating on screenings and intakes, have set up a case referral system also used by the Los Angeles County Public Defender’s Office, and are supporting each other’s work via a dedicated listserv to communicate on a range of topics such as technical assistance, access to detention centers, and filing applications for relief. Loyola and Southwestern Law Schools partnered to organize the Removal Defense Corps, a collaborative that builds legal capacity for individuals at risk of deportation by holding legal trainings for law students and attorneys, placing removal cases with pro bono attorneys, and matching pro bono attorneys with mentors, among the provision of other resources that support attorneys in removal defense work. Additionally, grantees designed, led, and attended trainings and capacity building workshops.

- **The need for deportation defense is tremendous in California—more than one local fund alone can tackle—but evidence from Year 1 of the Fund demonstrates that LAJF has the potential to change the landscape of unmet need in Los Angeles and lead the state and nation in innovative local responses to protecting local community members who are immigrants.** California has more pending immigration court cases than any other state in the country (approximately 153,000 cases), of which about one-quarter lack representation. More than half of all pending cases in California are in the Los Angeles courts.<sup>5</sup> However, the numbers of pending detained cases most urgently in need of assistance in the Los Angeles area are far fewer (under 1,000), and LAJF has the potential, with sustained and increased funding, to be a leader in the national immigration defense movement by ensuring no Angelinos have to face the threat of deportation alone. As one of the nation’s largest cities and largest cities of immigrants, Los Angeles is well positioned to play a leading role in shaping the growing momentum toward publicly funded deportation defense programs.

### Fine-Tuning Program Design to Expand the Impact of the Fund

Implementation evaluations are conducted at the beginning of new programs to assess how programs are measuring up against their goals. This allows for evidence-based modifications to program design early in a program’s development. To this end, data from the Year 1 evaluation highlight that LAJF can achieve additional impacts for a greater number of local residents through modifications to program design in subsequent years of the Fund. This could include some or all of the following:

- **Loosen eligibility requirements to ensure the most vulnerable are served.** In the first year of the program, funders requested that LAJF only represent persons who could prove residency, and

---

<sup>5</sup> “Immigration Court Backlog Tool,” TRAC Immigration, March, 2019, [https://trac.syr.edu/phptools/immigration/court\\_backlog/](https://trac.syr.edu/phptools/immigration/court_backlog/).  
“Details on Deportation Proceedings in Immigration Court,” TRAC Immigration, March, 2019, <https://trac.syr.edu/phptools/immigration/nta/>.



do so by submitting various documentation. While it is reasonable that local stakeholders would want to focus on people with ties to Los Angeles, LAJF has stricter residency requirements than most other deportation defense programs in the country in mandating documentary proof of residence (see, Appendix 1). Yet those who are least likely to be able to demonstrate residency are often those who are most vulnerable and in need of assistance, including persons in detention with no access to their documents, unaccompanied children, people who are seeking protections through asylum after having recently arrived to the United States, and local area residents who are homeless. Along these lines, the current eligibility requirements have also meant that the Fund is not flexible enough to respond to acute needs such as those arising from the 2018 family separations, as separated families still failed to meet the relatively narrow residency eligibility requirements. LAJF also excludes people with certain categories of prior criminal justice system involvement from receiving representation. Combined, these “carve-outs” force grantees to screen –and deny representation to –many potential clients in need of legal assistance in an effort to find those who do meet the narrow requirements. Whether stakeholders decide to change these requirements, the data make clear that such “carve-outs” hamper access to due process for people who may have valid legal defenses.

- **Advance merits-blind “universal” representation to ensure due process for all.** LAJF can promote due process for all by advancing a universal representation model that ensures all immigrants have equal access to representation, and the most vulnerable are not screened out because they appear to lack merit. Such a merits-blind model is the most race-equitable service delivery model, demonstrates a commitment to all immigrants without singling some out as more or less deserving, and yields important efficiencies by ensuring legal service providers are able to take on a balance of cases. At scale, such an approach should prove to be the most efficient and fair.
- **Reduce burdensome reporting requirements.** Grantees are currently required to collect hourly billing data for County-funded cases. Collecting this level of data makes sense at the beginning of a new program to learn how effort is being expended and ensure funding and effort levels are aligned. However, over time, greater efficiencies can be achieved by reducing this sort of onerous data collection and using what has already been collected to inform rates or effort levels appropriate under grants that determine funding at the caseload level. This data entry—in addition to other mandated reporting—takes valuable time away from attorneys and staff that could be better used to directly serve clients with the limited funds available. Additionally, with too much required reporting, the data quality becomes compromised, thus limiting its usefulness. Stakeholders should use Year 1 data to learn more about the costs of zealous deportation defense and confirm grantees providing direct representation are using funds as intended; data collection should then be refined to focus on the information funders and grantees deem most important for oversight and sustainability.

- **Consolidate reporting and program oversight.** Because program oversight, reporting, and programmatic technical assistance are being coordinated by separate entities, it is difficult at times to ensure adequate follow-up on data entry issues or even programmatic challenges evidenced by the data or emerging in technical assistance processes. Streamlining program management to consolidate these functions in a single program management organization—to the extent feasible—could yield greater efficiencies.
- **Continue to hone programmatic and individual grantee goals and objectives.** The year one implementation evaluation revealed that confusion remains among stakeholders around the program’s goals and objectives. At times, these confusions have exacerbated inefficiencies as grantees change course to respond to shifting interpretations of priorities and eligibility. In the next year of the program, funders, other stakeholders, and grantees should agree to consistent, focused, and unambiguous program objectives and guidelines against which progress may be measured.
- **Commit to consolidated and sustained funding.** LAJF funding was distributed across a wide range of organizations whose work supports deportation defense. There are benefits to such a large network of organizations participating in the Fund, including that in the aggregate, a large number of staff have been partially funded across many organizations. However, for some direct service grantees, the normal challenges of program start-up were exacerbated by the fact that funding for each organization was not enough to build out a robust deportation defense team that would yield economies of scale. Going forward, grantors could consolidate higher levels of funding among a smaller pool of organizations best aligned with the Fund’s vision. Finally, to the extent LAJF can commit to funding across a longer time horizon, legal service providers will be best able to manage caseloads to ensure they have adequate funding and staffing, especially to cover non-detained immigration court cases (including former unaccompanied children) for the several years these cases often take.

## Prelude: LAJF Changes Human Lives in Many Ways That Can't Be Quantified

People in immigration proceedings who were interviewed for this report described the many ways in which detention and the threat of deportation destabilized everyday life for them and their families, introducing stress, uncertainty, financial strains, and often physical ailments. On the other hand, they observed that lawyers helped level the playing field, restoring dignity to individuals, fairness to the process, stability to households, and a sense of relief for family members, especially children, who bear the biggest burden of having their parents taken from them. The stories below demonstrate the radiating benefits of representation through LAJF for individuals and their families, and alternately, the effects LAJF's program requirements have as they leave behind vulnerable people who have little chance of a successful outcome without the assistance of counsel.

### Juan and Paula's story

Juan's family brought him to the United States from Mexico when he was just two years old. As he noted, "my whole life I've been living in this country...Basically, I'm from here. I'm not from Mexico." Juan grew up in the United States, went to school here, and has worked at a job he's held for so long he considers it his second home. Juan and his wife Paula have four children, ages 11, 10, 7, and 3, and describe their family as especially close-knit. Juan has long coached his children's soccer teams, and he and Paula recounted that they have rarely spent a day apart.

One evening the family planned to have dinner together and then visit a park. Paula picked up the kids from school, and Juan was driving home to meet them. When he was just three blocks from home, he was pulled over by ICE officers who had been following him as he left work. He was immediately taken into custody and sent to detention.

The shock of not knowing what happened to Juan and the subsequent separation during his detention took a toll on everyone. Paula recounted that the children were constantly asking questions she could not answer, and that they began acting out, having trouble concentrating, and their grades and school performance declined. With Juan in detention and unable to work, the family experienced great financial strain. Paula's stress increased to the point where she "started blanking out." She explained, "I would lose focus...All of a sudden, my sight, it would go blank. I would just see little stars." Her children sensed the stress, and her young son, only six at the time, worried about money. Paula shared, "He's so young that he doesn't understand [how money works]. Like, once, he was like, 'Mom, if you make me do work and you pay me, I'm gonna give you that money.' He doesn't understand...He was worried."

Juan also described the stress of being away from his family and the ways in which this stress was compounded by both the impending court process that would determine if he would be deported and what felt like an ongoing assault to his dignity while he was detained. He recounted that he was constantly hungry in detention, recalling how he was once taunted by guards as they served him frozen, rock-hard tortillas as a meal.

Not long into his detention, Juan met with an LAJF attorney who took his case and soon after helped him secure release from detention on bond. Today Juan is reunited with his family, living in Los

Angeles, and back to his longtime job. Juan’s case is still pending, and his family’s stress has not disappeared, as there is no guarantee he will be granted the right to remain in the United States even with the help of a lawyer. Juan and Paula acknowledged the possibility that he might lose his case and be deported but saw the value of the attorney both in helping Juan secure the right to fight his case from outside of detention, and, as Paula reflected, “because, just in general, when you walk into court and you are trying to represent yourself, they don’t take you seriously.” She continued, sharing that an attorney “makes you feel comfortable. They tell you the pros and the cons, like the outcomes...good and bad...that gives you a sense of, I don’t know, relief.”

### **Jana’s story**

Jana’s story brings to life the recommendation that LAJF can do more, for more people in Los Angeles, and illustrates the profound human consequences of limited access to counsel. Like Juan, Jana was brought to the United States as a child, arriving in Los Angeles nearly three decades ago when she was thirteen years old. Jana is originally from Jordan, and lives in the United States legally, as a lawful permanent resident. She grew up and went to high school in Los Angeles County, and with most of her family also living in the County, Jana has deep ties to Los Angeles.

Like many people, Jana grappled with substance use, and was facing a court date as a result of a possession charge. However, she was homeless at the time, and without the ability to receive mail, Jana did not realize she was due in court. After missing her court appearance, a warrant for her arrest was issued. Jana was eventually arrested by local police and transferred from jail to immigration detention when authorities discovered she is not a U.S. citizen.

While detained, Jana struggled to find a lawyer. She was screened by an LAJF attorney early in her detention, but was deemed ineligible for representation due to the program’s strict residency requirements, which necessitate documentation to prove residency—documents that Jana and many who are homeless and/or detained are unable to produce, especially from inside detention.

After LAJF deemed her ineligible for representation, Jana remained detained for months. Detention and separation from her family took a great emotional toll on her and her loved ones.

Unlike many in Jana’s position, she was eventually offered free representation through another funding source. She described everything changing quite suddenly after she obtained a lawyer, and her case finally started to progress. With the aid of her attorney, Jana applied for and won cancellation of removal, meaning she is able to remain in the United States legally. Today, she is living substance-free in Los Angeles and taking care of her two daughters, aged 9 and 11 years old.

Although Jana’s case had a successful outcome, it is unlikely she would have been granted relief from removal had she not found a lawyer to help her navigate complex immigration law and understand how to defend her case. Had there been no residency requirement under LAJF, Jana could have secured representation much earlier in her case, and may have been released earlier, sparing her and her family, including her young children, the pain of extended separation.

## **Gabriela's story**

Gabriela, a local college student in her twenties, recounted her surprise and concern one day when her father was not answering her calls. This was uncharacteristic of her father, who usually called every day. Gabriela soon discovered that immigration authorities had apprehended her father as he was getting ready to leave home for work one morning. An immigrant from Mexico, Gabriela's father had lived in the United States for nearly thirty years before he was detained. The trauma of learning a parent is in immigration detention could not have come at a worse time for Gabriela, as it was the week of her college final exams.

Gabriela described the anxiety she experienced after her father's apprehension. She missed her final exams in order to devote all her time to searching for a lawyer and gathering information in support of her father's defense. As time wore on, she began to experience frequent panic attacks. Gabriela assumed the responsibility of paying her father's rent while he was detained, took many costly trips to visit her father in the remote detention center where he was held, and was trying to save money for his bond. She feared the financial burdens she took on as a result of her father's detention would make it impossible to continue paying college tuition. As Gabriela quickly discovered, immigration detention disrupts not only the lives of those who are detained, but also threatens to derail their children's lives.

Many in Gabriela's situation do not have access to free representation and are not able to afford to pay for a lawyer. However, Gabriela found a lawyer through LAJF, and the attorney soon helped secure release on bond for Gabriela's father. Having an attorney involved freed Gabriela from the stress of being the only advocate for her father, and she was able to refocus on school. She described finding the courage to ask for support from a dean at the university, who otherwise never would have known what Gabriela was going through. The dean helped her get back on track academically. Gabriela has been so profoundly impacted by the work the LAJF attorney is doing on behalf of her father that she is considering a legal career when she graduates from college.

## Introduction

Los Angeles is home to the largest immigrant population of any county in the nation.<sup>6</sup> Yet, as a result of a steady and significant growth in enforcement actions, and the use of detention and deportation, over the past few decades, many area immigrants are at risk of removal from the United States. In turn, deportation threatens to separate families, destabilize communities, and erode trust in government. Despite the grave consequences that deportation proceedings carry and the complex nature of immigration law, immigration court cases are the only legal proceedings in the United States in which people are routinely detained by the federal government and required to defend themselves against trained government lawyers without the right to an attorney. Today, 68 percent of detained immigrants and 26 percent of non-detained immigrants in Los Angeles represent themselves in court alone, without the assistance of by an attorney.<sup>7</sup> Without representation, it is nearly impossible to navigate the complex immigration legal system and access protections that may be available under the law. Because of this reality, people are 10.5 times more likely to receive successful immigration court outcomes permitting them to remain in the United States when they have attorneys.<sup>8</sup>

In response to increased enforcement and the growing and urgent need for representation in deportation proceedings, Los Angeles leaders established the Los Angeles Justice Fund. A partnership among Los Angeles County, the City of Los Angeles, the Weingart Foundation, and the California Community Foundation (CCF), LAJF is a multi-sector and cross-governmental approach to address the pressing demands for legal representation services for immigrants. As this first-year implementation evaluation finds, LAJF has already begun to make a positive impact, restoring fairness and balance to immigration proceedings by providing counsel to 291 immigrants. Attorneys have filed hundreds of motions and applications on their clients' behalf, have secured release for 23 percent of initially detained clients, and have achieved favorable outcomes for 41 percent of clients with completed court cases, allowing them to remain in the United States with their families and in the communities they call home. This is compared to fewer than 5 percent of unrepresented immigrants in removal proceedings receiving favorable outcomes nationwide.

This report describes the history and structure of LAJF, the work it has achieved in its initial period of implementation, and the ways the program can expand its impact with some changes to design.

## Evaluating the Program

As the administrator of LAJF, CCF contracted Vera to report on and conduct research on the impact of representation for detained adult cases. Vera's Center on Immigration and Justice has

---

<sup>6</sup> "U.S. Immigrant Population by State and County," Migration Policy Institute, <https://www.migrationpolicy.org/programs/data-hub/charts/us-immigrant-population-state-and-county>.

<sup>7</sup> "California's Due Process Crisis: Access to Legal Counsel for Detained Immigrants," The California Coalition for Universal Representation, June 2016, <https://www.nilc.org/wp-content/uploads/2016/06/access-to-counsel-Calif-coalition-report-2016-06.pdf>.

<sup>8</sup> Ingrid V. Eagly and Steven Shafer, "A National Study of Access to Counsel in Immigration Court," *University of Pennsylvania Law Review* 164, no. 1 (2015), 1-91.

performed this function over the past decade and a half in administering and evaluating a variety of publicly funded legal access and representation programs, and has experience designing data collection tools for these purposes.

For LAJF, Vera designed a customized database to collect regular, standardized, case-level data from direct representation organizations (and limited data from other grantees) that would be responsive to funders' interests in monitoring program performance and impact. Grantees providing direct representation report detailed case-level information such as client demographics and key case milestones through Vera's database, allowing Vera to produce quarterly reports summarizing program progress. Grantees providing representation with County funds also track hourly effort information through Vera's database.

As part of its contract, Vera agreed to provide an implementation evaluation of the first year of LAJF. Vera was initially contracted to focus its reporting and evaluation on detained representation but has expanded reporting to include all direct representation. This evaluation focuses on direct representation organizations, and especially, adult representation organizations providing deportation defense. For the Year 1 evaluation, Vera analyzed data from the database through December 2018 in addition to several other data sources. These include contracts and grantee agreements, grantee and LAJF client interviews and surveys, and grantee narrative reports that describe objectives, challenges, practices, new developments, and other relevant information about program implementation and performance. In addition to client interviews, Vera researchers also spoke with people who were screened as potential clients but deemed ineligible for LAJF representation, enabling us to better understand the universe of unmet need. The report highlights findings derived from all these sources.

The purpose of an implementation evaluation is to determine whether activities in a new program have been employed as intended.<sup>9</sup> An implementation evaluation measures performance in the domains of capacity building, hiring and staffing, building and launching a program, and service utilization—the necessary activities that dominate the first year of a new program. Documenting program activities—and the successes and challenges in rolling them out—allows for replicability and helps add context to later impact evaluations that focus on understanding a program's effect and outcomes.<sup>10</sup> An implementation evaluation can also identify challenges early on, so that program administrators can refine a program's focus or activities before too much time passes. While LAJF has not been operational long enough for any assessment to determine the full scope of the program's impact this early in its life, there are already many signs, discussed throughout this report, of the impact LAJF has already achieved. At the end of Year 2, Vera will submit a second evaluation report that assess program impact more broadly, including any changes in program activities between the first and second years, and the full scope of impacts representation has achieved.

---

<sup>9</sup> "Types of Evaluation," Center for Disease Control, <https://www.cdc.gov/std/Program/pupestd/Types%20of%20Evaluation.pdf>.

<sup>10</sup> Peter H. Rossi, Mark W. Lipsey, and Howard E. Freeman, "Chapter 6: Assessing and Monitoring Program Progress," in *Evaluation: A Systematic Approach, Seventh Edition* (Thousand Oaks: SAGE Publications 2004), 171.



## Why Form LAJF?

Los Angeles is a region of immigrants, with greater shares of foreign-born individuals compared to both California and the United States more broadly.<sup>11</sup> While many of the region's 3.5 million foreign-born people are already naturalized citizens not at risk of deportation, nearly half of Los Angeles's immigrants (1.7 million) are not citizens, meaning they are potentially at risk of deportation. This includes 775,000 non-citizens in the City of Los Angeles (51 percent of the City's immigrant population).<sup>12</sup> While many of these non-citizens reside in the United States lawfully, Pew Research Center estimates that 925,000 undocumented individuals reside in the Los Angeles metropolitan area, the second largest undocumented population in the nation after the New York metropolitan area.<sup>13</sup> These immigrants are especially vulnerable to deportation, but are also likely to have both deep ties to the region and potential defenses to deportation, as nearly three-quarters (73 percent) of those living in Los Angeles without authorization have lived in the United States for a decade or longer.<sup>14</sup> As evidence of these immigrants' strong ties to the region, more than half of the 2.1 million children under the age of 18 living in Los Angeles County have at least one foreign-born parent (1.2 million). In the City of Los Angeles, there are 783,836 children under 18 years old, and 63 percent (500,000) have at least one foreign-born parent. Ninety-one percent of children in Los Angeles with a foreign-born parent are U.S. citizens.<sup>15</sup>

Not only have immigrants in Los Angeles lived in the United States for many years, started families, and raised children here, but non-citizens also comprise an integral segment of the local labor force, making up 20 percent of the County's 5 million workers. In the City of Los Angeles, nearly 1 in 4 workers is a non-citizen immigrant. Non-citizens participate in the labor force at comparable rates to citizens born in the United States and to naturalized citizens in Los Angeles County (66.3, 65.4, and 60.8 percent in the labor force, respectively).<sup>16</sup> Despite similar rates of labor force participation, non-citizens in Los Angeles are a particularly vulnerable population, not only because they are at risk of detention and

---

<sup>11</sup> Fourteen percent of the United States population is foreign-born, and half of the foreign-born are naturalized citizens. Alternately, 27 percent of the California population is foreign-born, 34 percent of the Los Angeles County population is foreign born, and 36 percent of the Los Angeles City population is foreign born. In Los Angeles County and City 16 and 19 percent, respectively, of the foreign-born population are non-citizens, meaning they are at risk of immigration enforcement and thus deportation. See "Selected Characteristics of the Native and Foreign-Born Populations: 2017 American Community Survey 1-Year Estimates," U.S. Census Bureau, (Table S0501), [https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17\\_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000](https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000).

<sup>12</sup> Ibid.

<sup>13</sup> The Los Angeles metropolitan area includes the cities of Los Angeles, Long Beach, Anaheim, Santa Ana, Irvine, Glendale, Torrance, Pasadena, Orange, Costa Mesa, Burbank, Carson, Santa Monica, Newport Beach, Tustin, Monterey Park, Gardena, Arcadia, and Fountain Valley.

"Estimates of U.S. Unauthorized Immigrant Population, by Metro Area, 2016 and 2007," Pew Research Center, March 11, 2019, <https://www.pewhispanic.org/interactives/unauthorized-immigrants-by-metro-area-table/>.

<sup>14</sup> "Profile of the Unauthorized Population: Los Angeles County, CA," Migration Policy Institute, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/county/6037>.

<sup>15</sup> "Age and Nativity of Own Children Under 18 Years in Families and Subfamilies by Nativity of Parents: 2017 American Community Survey 1-Year Estimates," U.S. Census Bureau, (Table C05009), [https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17\\_1YR/C05009/0400000US06|0500000US06037|1600000US0644000](https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_1YR/C05009/0400000US06|0500000US06037|1600000US0644000).

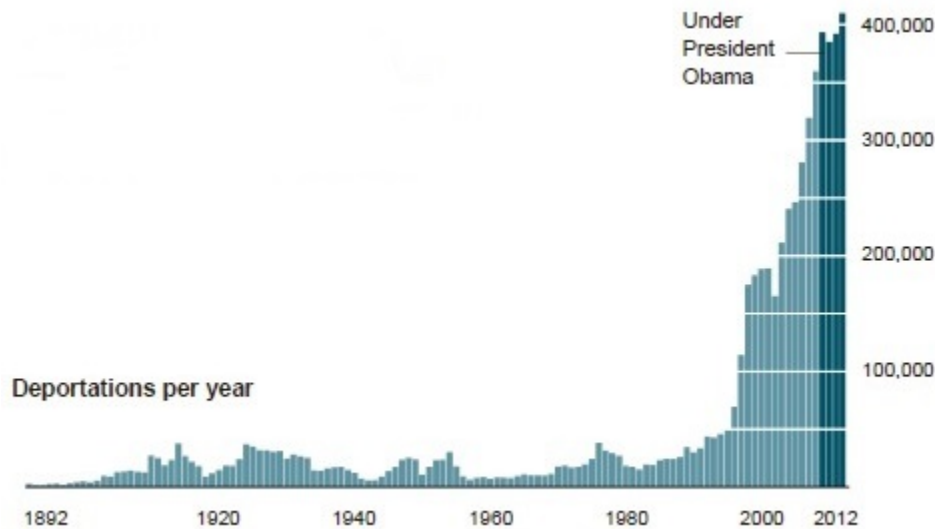
<sup>16</sup> "Selected Characteristics of the Native and Foreign-Born Populations: 2017 American Community Survey 1-Year Estimates," U.S. Census Bureau, (Table S0501), [https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17\\_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000](https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000).



deportation but because their immigration status makes it difficult to overcome poverty, with 51 percent of County and 54 percent of City non-citizen residents living in households with incomes below 200 percent of the poverty level (versus 30 and 32 percent of naturalized citizens and 32 and 35 percent of citizens born in Los Angeles County and City, respectively).<sup>17</sup>

As shown in Figure 1, deportations have increased dramatically and steadily since changes to our nation’s immigration laws in 1996. These reached unprecedented highs under the Obama administration even before Trump was elected in 2016 with promises to ramp up immigration enforcement and thus, detention and deportation.<sup>18</sup>

Figure 1: Growth in Deportations



Sources: *The New York Times*, the Department of Homeland Security, and the U.S. Census Bureau

In response to both the escalating numbers of people at risk of deportation, and the abysmal rates of representation in high-stakes immigration court proceedings, immigrant advocates in California coalesced in the waning years of the Obama administration around the need to enhance due process for immigrants in deportation proceedings. This led to the formation of the California Coalition for Universal Representation (CCUR), which brought together advocates from across the state to encourage state and local governments to create publicly funded programs to provide lawyers to immigrants in deportation proceedings who cannot afford one, in the absence of a federally funded public defender system. CCUR organized efforts in localities throughout California, including forming the Los Angeles Coalition for

<sup>17</sup> Ibid. “Selected Characteristics of the Native and Foreign-Born Populations: 2017 American Community Survey 1-Year Estimates,” U.S. Census Bureau, (Table S0501), [https://factfinder.census.gov/bkmk/table/1.o/en/ACS/17\\_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000](https://factfinder.census.gov/bkmk/table/1.o/en/ACS/17_1YR/S0501/0100000US|0400000US06|0500000US06037|1600000US0644000).

<sup>18</sup> “Growth in Deportations,” *The New York Times*, analysis of data from the Department of Homeland Security, U.S. Census Bureau, February 22, 2013, <https://archive.nytimes.com/www.nytimes.com/interactive/2013/02/22/us/politics/growth-in-deportations.html>.

Universal Representation (LACUR). This coalition then approached local leaders seeking support for publicly funded removal defense.

### Launch of LAJF

Advocates appealed to Los Angeles leaders—the Los Angeles Board of Supervisors, the City of Los Angeles, and the Mayor—to inaugurate a Los Angeles Justice Fund, dedicated to representing immigrants in removal proceedings using a universal representation model. This model would provide legal representation for anyone in immigration proceedings who cannot afford a lawyer, meaning that people are not selected as eligible for representation based on their perceived chances of success or personal histories, and instead operates from an assumption that all people are entitled to due process and have an equal chance of receiving it. Advocates pointed to the success of the New York Immigrant Family Unity Project (NYIFUP), the nation’s first public defender system for immigrants in removal proceedings that employs a universal representation model. NYIFUP provides free attorneys to detained, indigent immigrants facing deportation at the Varick Street Court in New York City who are unrepresented at their first court appearances.

At the same time, local leaders had been exploring ways to enhance their support of immigrants in the region. In acknowledgement of the urgent need for removal defense in Los Angeles, local leaders committed \$5 million to a two-year plan to fund legal defense for immigrants in deportation proceedings in late December 2016. Private philanthropy also committed money to augment the effort. On March 30, 2017, the City Administrator’s Office (CAO) for Los Angeles laid out a proposed framework for administering LAJF.<sup>19</sup> After several months of debate about the parameters of the fund, CAO recommended prioritizing the detained population and those with protection concerns, funding direct representation, and excluding individuals from eligibility if they were convicted of a violent felony when attorneys determined there was “no potentially meritorious claim for relief or defense from removal.” On June 23, 2017 the City approved the provision of \$2 million to LAJF. A few days later, on July 3, 2017, the County approved \$3 million in funding for LAJF. Later that year, the Los Angeles County Board of Supervisors voted unanimously to make immigration one of the County’s key priorities, and committed to ensuring that its “focus on legislation, litigation, resources, and services [pertaining to immigration] remains concentrated and consistent.”<sup>20</sup>

### LAJF Grantees

With LAJF funding approved, the California Community Foundation (CCF) was asked to administer the Fund. CCF posted a request for proposals (RFP) asking qualified non-profit organizations

---

<sup>19</sup> Richard H. Llewellyn, JR., Interim City Administrative Officer, “Report From the Office of the City Administrative Officer: Los Angeles Justice Fund,” March 30, 2017, [http://clkrep.lacity.org/online/docs/2017/17-0046\\_rpt\\_CAO\\_03-30-2017.pdf](http://clkrep.lacity.org/online/docs/2017/17-0046_rpt_CAO_03-30-2017.pdf).

<sup>20</sup> “Los Angeles County Takes Bold Steps in Support of Immigrants,” County of Los Angeles, <https://www.lacounty.gov/newsroom/la-county-daca-immigrants/>.

Hilda L. Solis and Sheila Kuehl, “Immigration as a County Priority,” Motion by Supervisors, September 12, 2017.

to apply for funding through what was initially conceived as a deportation defense program for people already in immigration court proceedings. The program officially launched in November, with the announcement of \$7.4 million (\$2.4 million from philanthropy and the \$5 million in public dollars) to be awarded to 16 non-profit organizations.<sup>21</sup> CCF awarded grants to a wide range of organizations. Some focus on providing direct legal services. Others provide “technical assistance” in support of increased capacity for deportation defense, both among existing organizations and to expand the pipeline of new attorneys with immigration expertise. By the end of the year, grantees providing direct representation had 42 attorneys and staff fully or partially devoted to removal defense (and another 12 attorneys and staff are at capacity building organizations) and had taken on representation of nearly 300 clients.

Figure 2 below shows the organizations selected and the numbers of staff and attorneys devoting some or all of their time to LAJF-funded cases and capacity building by the end of Year 1 of the program.

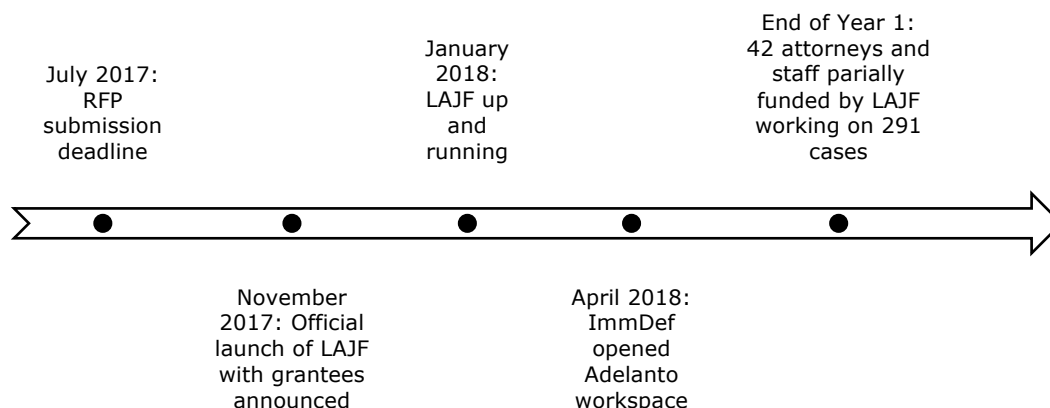
Figure 2: LAJF- Funded Attorneys and Staff (Fully or Partially Working on LAJF)<sup>2223</sup>

<b>Direct Representation Grantees</b>	<b>Attorneys</b>	<b>Staff</b>
Asian Americans Advancing Justice Los Angeles (AAAJ-LA)	3	1
Bet Tzedek Legal Services	1	4
Central American Resource Center (CARECEN)	4	2
Coalition for Humane Immigrant Rights (CHIRLA)	4	1
Esperanza Immigrant Rights Project	2	2
Immigrant Defenders Law Center (ImmDef)	2	1
Kids in Need of Defense (KIND)	1	0
Legal Aid Foundation of Los Angeles (LAFLA)	2	1
Los Angeles LGBT Center	2	2
Public Counsel	4	1
USC Gould School of Law Immigration Clinic	2	0
<b>Total (portions of 42 positions)</b>	<b>27</b>	<b>15</b>
<b>Capacity Building Grantees</b>		
Loyola Immigrant Justice Clinic	2	0
OneJustice	2	3
Program for Torture Victims	0	3
Southwestern Law School	3	0
<b>Total</b>	<b>6</b>	<b>6</b>

<sup>21</sup> As mentioned in the Executive Summary, only 15 organizations are evaluated in this report. However, 16 organization received grants in November of 2017, including the 15 analyzed in this report and Vera. The remaining two grantees (also not evaluated in this report as previously mentioned) joined LAJF many months into the program.

<sup>22</sup> Note: Not all attorneys and staff listed in the table are full time employees as funded through LAJF. Additionally, this table does not include CLINIC, NFF, nor Vera, as their supporting roles are different from those played by the core grantees

Figure 3: LAJF Key Milestones Timeline, 2017 and 2018



## What Does LAJF Do?

LAJF promotes due process by expanding access to attorneys for Los Angeles immigrants who are arrested or detained by immigration officials and subject to removal proceedings, and/or with a final order of removal. In some instances, LAJF also represents people who need assistance with asylum applications and other forms of humanitarian protections. Cognizant of the need for greater capacity among immigration legal service providers and a larger pipeline of new attorneys trained in deportation defense, LAJF also funds organizations providing services such as legal trainings and mentoring programs for new removal defense attorneys. LAJF awarded grants for up to two years to nonprofit legal service organizations to represent people in immigration court and/or to build removal defense capacity by supporting legal representation programs with legal trainings and other resources.

Grants to provide direct legal services enable nonprofit entities with both established immigration legal services programs and new to the deportation defense field to maintain or increase their capacity to provide representation to clients facing or at risk of deportation. Grantees use LAJF funds to:

- support initial interviews and screenings of potential clients, including in languages other than English or Spanish;
- prepare for court by conducting legal research, drafting pleadings, preparing witnesses, hiring expert witnesses, and other preparation;
- represent clients in the full spectrum of immigration court proceedings, including bond hearings, preliminary and subsequent immigration court hearings, and merits hearings at which cases are decided;<sup>24</sup>

<sup>24</sup> Bond is a fee paid that allows a person to be released from detention, but with the agreement that the person will appear in future court proceedings. If the person does not appear in future court hearings, the government keeps the money. If the person appears at all court proceedings and complies with all orders, the bond will be returned to the person who paid the bond. A master calendar hearing is the first hearing in removal proceedings, where the Judge schedules important dates, like the individual merits hearing. The individual merits hearing is the court proceeding where the substance of a case is addressed, including going over applications or claims and defenses in a case.

- file immigration court motions and applications for relief from removal;
- file applications for immigration benefits through U.S. Citizenship and Immigration Services (USCIS);
- provide post-release legal services and assist with other social services as relevant; and
- file case appeals;

Grants in support of building removal defense capacity allow nonprofits and legal service providers to support themselves and/or additional organizations in expanding capacity to provide attorneys to individuals in removal proceedings and to coordinate partnerships among attorneys. Funding is used to:

- develop technical assistance and training materials, including legal training for managers, attorneys, and support staff, and mentoring of new removal defense attorneys;
- centralize and coordinate legal services among grantees;
- promote collaborative partnerships;
- develop and share information on legal partnerships, best practices, and accomplishments; and
- create a new corps of removal defense attorneys coming out of law school to expand the pipeline of immigration attorneys able to respond to the urgent crisis in immigration removal defense and ensure adequate staffing at organizations providing direct representation.

### Eligibility Requirements for Representation through LAJF

LAJF grantees involved in direct legal representation provide lawyers at no cost to individuals who are:

- arrested or detained by immigration officials and subject to immigration removal proceedings, and/or with a final order of removal, or have not yet been arrested or detained but are at risk of removal if they do not affirmatively pursue protections;
- residents of Los Angeles who can demonstrate residency through certain documentation;
- with incomes below 200 percent of the Federal Poverty Level;
- who have not been convicted of a felony as defined under California Penal code 667.5 (for County residents); and
- who have not been convicted of a felony as defined under California Penal code 667.5 and/or misdemeanor or felony offenses that constitute human trafficking, domestic violence, child abuse or pimping (for City resident cases).
  - A waiver is available for individuals falling under City funding who are convicted of the above if the legal service provider determines the prospective client has a “justifiable extenuating circumstance” (e.g., a significant length of time having passed since one’s conviction, or that someone’s deportation would lead to hardship for the person’s family in the United States, among a variety of other circumstances) and a “potentially

meritorious claim for immigration relief or defense from removal” (i.e., a real chance of winning an immigration case).<sup>25</sup>

Grantees are also expected to prioritize serving individuals with community ties to Los Angeles (e.g. those with family members living in Los Angeles who are U.S. citizens, lawful permanent residents, and DACA recipients), heads of households with one or more dependent family member, unaccompanied children and young adults who arrived as children, veterans, individuals with protection-based claims (like asylum), and victims of crime, domestic violence, and human trafficking.

These eligibility criteria have been the source of ongoing debate among funders, advocates, and attorneys representing LAJF cases for the past few years. As the Fund was being established, advocates repeatedly voiced concerns that the way the eligibility requirements were framed would likely prevent LAJF from serving some of the very populations that Board Members and Council Members considered priorities, namely asylum seekers, trafficking victims, homeless persons, and veterans with criminal justice system involvement. While the Fund has been able to provide assistance to many local residents with vulnerabilities, many others have been left out as a result of program requirements.

### How Do LAJF Attorneys Identify Clients?

LAJF attorneys connect with clients through many different pathways. The primary way attorneys find new clients in detention is through the case referral system developed by the Detained Collaborative, a working group where grantees provide each other with support to enhance detained representation, described in greater detail below. The case referral system encompasses a list that contains information about potential clients that grantees access to find their next case when they have the capacity to take on a new case. When a new case is accepted, that client is removed from the case referral list. There are various routes by which potential clients get added to the case referral system. One common way is through the Legal Orientation Programs (LOP) at Adelanto Detention Facility, a national program run locally by Esperanza. LOP educates detained immigrants about their rights and the immigration court process in group and individual orientations. LOP service providers also make pro bono and other legal referrals when possible. Building on this model, Esperanza asks participants in individual orientations about their residency in order to determine eligibility for potential referral to LAJF. If Esperanza LOP staff identify people in detention who meet eligibility criteria and have not yet retained counsel, they are added to the referral system. Some clients are also identified at Otay Mesa and Theo Lacy, other area detention centers served by LAJF grantees. Other times, grantees receive phone calls from individuals in their communities looking for help for detained family members, are contacted by people in detention who may have heard

---

<sup>25</sup> Yet, even with the waivers available in City-funded cases, they are rarely used; only eight individuals were deemed eligible for waivers in Year 1. It is likely that waivers are rarely used because the requirement that a legal service provider must determine that a case has a real chance of winning to qualify for the waiver renders waivers essentially ineffectual. Many felonies that exclude people from LAJF representation also disqualify them from many forms of relief that one could pursue in immigration court. Without being able to pursue many forms of relief, attorneys cannot reasonably conclude that a case has a solid chance of winning, making the waivers unusable.

about LAJF through word of mouth in detention, and receive referrals from community organizations and stakeholders (like the Los Angeles Unified School District). The Los Angeles Public Defender's Office also identifies potential clients and adds their information to the detained case referrals system. In all of these instances, when grantees have the capacity to accept new cases, they make every effort to conduct eligibility screenings, though the reality is there is much more need than capacity to take on new cases. Thus, not every potentially eligible client will be screened or served. Finally, non-detained clients are often identified through referrals from community organizations or similar community-based referrals, and some grantees designate days on which they conduct walk-in screenings that may lead to identification of potential clients. Children or former unaccompanied children may be identified through similar means, or through referrals from legal service providers in the Vera network who flag children released from custody and in need of representation.

While LAJF does not require grantees to employ a universal representation intake model, some grantees do, while others select cases based on a variety of criteria specific to that organization, which may include an assessment of the strength of the potential type of claim or defense that could be pursued. The fact that there is not a uniform case-intake model across the program has benefits and challenges discussed later in the report in more detail. On the one hand, each organization has maximum flexibility to employ a model that works best; on the other hand, the lack of coherent case intake models presents challenges to efficiency, coordinating referrals, and evaluating the impact of the program.

## What Does Representation Entail?

Full scope representation of the sort provided through LAJF involves attorney and staff time to prepare the legal case, conduct client meetings—often in the remote Adelanto detention facility under the Los Angeles court's jurisdiction—obtain and review documents, perform translations and interpretations, prepare and file motions and applications, prepare and file documents for bond hearings, file fees and mailings, travel to client meetings and court, and often, file or obtain documents through other legal systems ancillary to immigration proceedings. There are also costs related to expert witnesses and forensic examinations in some cases. LAJF providers commit to taking on this package of work for the cases they represent through LAJF, distributing resources from the overall grant as necessary across the cases.

## Building a Collaborative Program Infrastructure for Program Longevity

Grantees have built capacity, hired and trained staff and qualified volunteers, established the foundation and networks needed to run the program, enhanced stakeholder relationships, and created and are using a case referral system that is also used by the Los Angeles County Public Defender's Office. Grantees also created and are using a listserv, where attorneys communicate on aspects like technical assistance, applying for relief, and accessing detention centers. Additionally, grantees designed, led, and attended trainings and capacity building workshops, and cooperated on screenings and intakes. Loyola



and Southwestern Law Schools partnered to organize the Removal Defense Corps, a collaborative that builds legal capacity for individuals at risk of deportation by holding legal trainings for law students and attorneys, by placing removal cases with pro bono attorneys, and by matching pro bono attorneys with mentors, among the provision of other resources that support attorneys in removal defense work.

With LAJF funding, in April 2018 the Immigrant Defenders Law Center (ImmDef), opened a workspace within three miles of the Adelanto Detention Facility, the most populated detention facility in California that is located far outside of Los Angeles in San Bernardino County. Given the high volume of people in need of representation being detained in the facility, and the long drive that many LAJF attorneys are required to make to visit it, the opening of a workspace near the facility is crucial in allowing attorneys to work as efficiently as possible. The Adelanto workspace is open to all interested LAJF grantees to use when serving clients and the detention facility. It is fully functional with an internet connection, desks, tables, chairs, a printer, filing cabinets, a couch, a small refrigerator, air conditioning, and has all the necessary supplies that attorneys need to prepare for their cases.

Another significant accomplishment is that CARECEN, CHIRLA, Esperanza, ImmDef, and Public Counsel formed the LAJF Detained Collaborative, a working group where grantees provide each other with support to enhance detained representation. As members of the Detained Collaborative, participants meet regularly to discuss case strategies, issues and trends experienced when visiting detention facilities, and matters related to representation in immigration court. The Detained Collaborative also allows attorneys to pose questions and provide advice related to removal defense legal issues and to working in detained courts. Notably, the Detained Collaborative developed a referral system—a way for the Public Defender’s Office to refer cases to members of the Detained Collaborative, and for members to refer cases to each other. Such collaboration streamlines the process of identifying and serving clients, and has led to greater communication and information sharing among LAJF members and between the LAJF and government agencies. As one attorney observed, “Prior [to the detained collaborative] there was no infrastructure—each organization had to create its own onboarding and training materials.”

With LAJF support, grantees developed and strengthened collaborations with many organizations beyond LAJF grantees. A list of some of these organizations shows the wide breadth of partnerships LAJF grantees cultivated. Grantees have worked with: the American Civil Liberties Union (ACLU), the American Immigration Lawyers Association (AILA), A New Way of Life Reentry Project, the Asian American Drug Abuse Program (AADAP), Center for living and Learning, Dolores Mission Parish, Human Rights First, the Immigrant Family Legal Clinic at UCLA School of Law, the Immigrants’ Rights Clinic at Stanford Law School, the Immigration Law Clinic at Western State College of Law, the Los Angeles County Bar Association (LACBA), Los Angeles County Department of Children and Family Services (DCFS), the Los Angeles County Public Defender, Los Angeles Raids Rapid Response Network, National Lawyers Guild Los Angeles (NLG-LA), the San Fernando Valley Refugee Children Center, Tarzana Treatment Centers, and Uber, among other organizations. This is merely a sample of LAJF collaborations, to give an indication of the heterogeneous mix of the types of organizations that comprise LAJF.

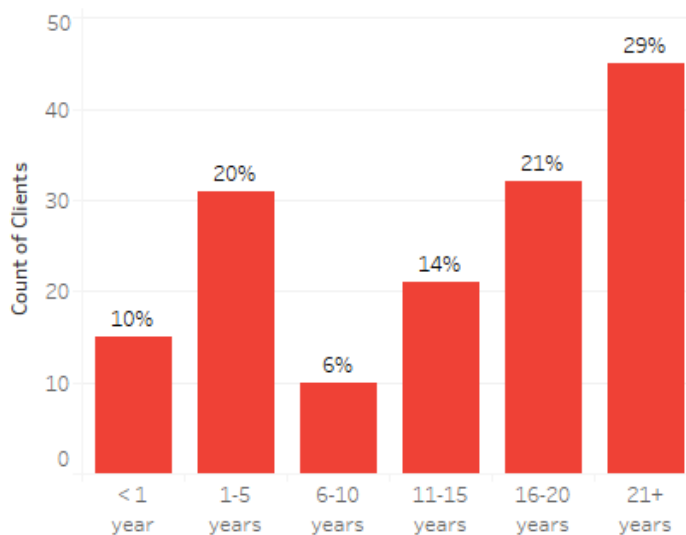


## Is LAJF Serving the People It Was Designed to Help?

In LAJF’s first year, it has already begun to make an impact for many immigrants and their families. In the first twelve months, the capacity for deportation defense in Los Angeles was substantially expanded as a result of the Fund; 291 cases were accepted for representation by 11 organizations providing direct representation. Of these 291 clients, 188 were initially in removal proceedings; grantees have already assisted nearly a quarter of initially detained clients to win liberty through release on bond, and have filed 26 case appeals.<sup>26</sup> Data from the first year of the program makes clear that LAJF is serving clients with deep ties to the United States and Los Angeles, and offering due process and protections to immigrants facing vulnerabilities.

LAJF clients have resided in the United States for an average of 15 years; Figure 4 shows that 64 percent of clients have lived in the United States for more than 10 years, and nearly one out of three have lived in the country for more than 20 years. Having lived in the United States for so long, LAJF clients have built lives in the country, and started or grew their families. While not all clients reported data on children, of those who did, 48 percent were parents to children in the United States; this means that LAJF clients are parents at approximately the same rate as native-born adults. Seventy-five children, including 71 U.S. citizens, have a parent represented by LAJF. Among the children, 95 percent are U.S. citizens.

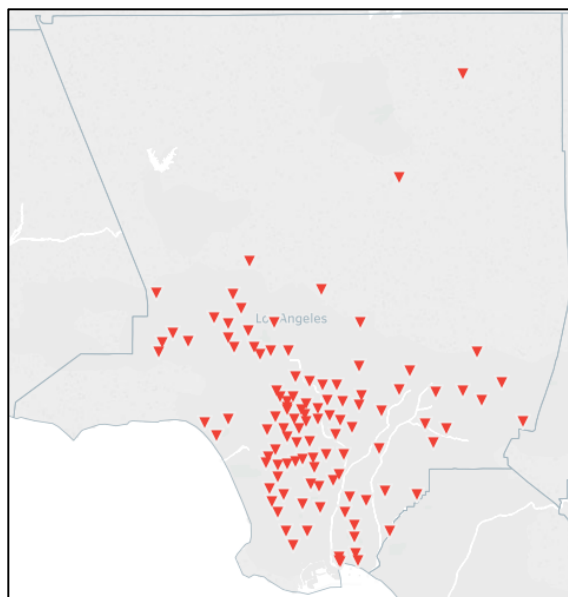
Figure 4: Years Spent in United States



Though many LAJF clients are initially accepted for representation while at area detention centers located outside Los Angeles County, clients come from across the area, as depicted in Figure 5.

<sup>26</sup> Vera analyzes and submits reports on grantee progress and client demographics every quarter. As this information is already contained in previous reports, it is summarized here as a review of the initial impact the program has had even during its first year of implementation and piloting.

Figure 5: Client Residency



Not only do LAJF clients have deep ties to communities in Los Angeles, but they confront many vulnerabilities beyond their immigration status and the risk of deportation. Forty-two percent of clients (123 of 291) were detained when LAJF took on their cases, and 16 percent (48 of 291) were children or former unaccompanied children. Nine out of 10 clients were identified as confronting at least one vulnerability, including crime victimization, domestic violence, human trafficking, and homelessness; 182 of 291 clients were identified as asylum seekers or potentially eligible for other fear-based protections.

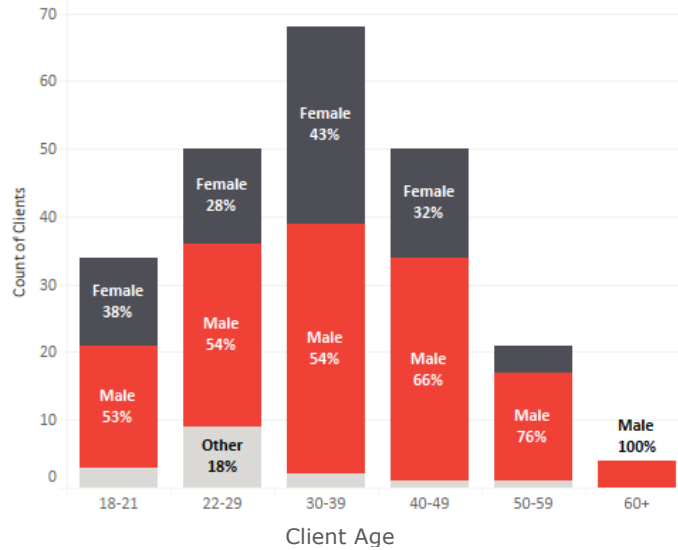
Figure 6: Vulnerabilities among Represented Cases (N=291)

Vulnerabilities Identified for Represented Cases	Count
Asylum seeker/fear-based protections	182
Victimization – crime, domestic/intimate partner violence, child abuse/neglect, or trafficking	173
Disability/significant medical needs, mental health needs	105
Current/former unaccompanied child (UC)	50
Childhood arrival (not UC)	41
Homeless	28
Has dependent(s) with disability/significant medical needs	21
Other	68
<b>Total Cases with a Vulnerability Identified</b>	<b>267</b>

LAJF is serving a high number of young people who identify with a non-binary gender identity and likely confront vulnerabilities as a result of their gender identity. In the 22- to 29-year-old age category, 18 percent identify with a non-binary gender identity. Figure 7 shows this by mapping adult clients' ages and gender. This figure also shows that the LAJF population is generally young, with more

than half of adult clients under age 40. Overall, 60 percent of clients identify as male, 35 percent as female, and five percent as a non-binary gender.

Figure 7: Adult Client Age by Gender



The majority of LAJF clients come from Mexico (29 percent), Guatemala (23 percent), and El Salvador (20 percent), just as these are the most common nationalities among people in immigration court proceedings nationwide. The remaining 28 percent of LAJF clients come from an additional 23 countries, reflecting the diversity of the immigrant population in Los Angeles, and the work LAJF providers have done to bridge language and cultural barriers to serve clients in need. Figure 8 below shows clients’ nationalities in a heat map. The darker shades demonstrate the greatest concentrations of people being served by the program.

Figure 8: Countries of Origin Heat Map



## LAJF Improves Access to Due Process

Through the expansion of legal representation, LAJF is enhancing access to due process and building the foundation for sustainable deportation defense in Los Angeles. LAJF attorneys have secured release for 23 percent of initially detained clients, allowing them to return to their families and communities. At a time when fewer than 5 percent of unrepresented immigrants in removal proceedings nationwide receive favorable outcomes, 41 percent of LAJF clients with completed cases thus far have received favorable outcomes permitting them to remain in the United States. As remarkable as these initial outcomes are, data from LAJF demonstrates the value of counsel extends far beyond whether attorneys are able to secure favorable outcomes in their clients' cases. Zealous representation of the sort provided through LAJF ensures people are able to access protections available to them under the law, and restores balance to an inequitable system, ensuring immigrants facing deportation have access to the information and resources they need in order to receive due process in a system in which the government is always represented in its effort to affect deportation.

Figure 9 displays the applications and motions filed on behalf of LAJF clients, highlighting the varied and creative defenses lawyers can identify when they engage in full-scope representation, and the many avenues for relief potentially available to clients.

Figure 9: Applications and Motions Filed

<b>Application</b>	<b>Total Filed</b>	<b>Motion</b>	<b>Total Filed</b>
Asylum / Withholding / CAT	56	Motion to Terminate	23
State Court Petition / Request for SIJs Findings	18	Motion to Change Venue	9
LPR Cancellation	15	Motion for Bond Hearing	3
U Visa	13	Motion to Reopen	2
I-765: Employment Authorization	9	Emergency Motion for Custody Redetermination	2
1-360: Petition for Amerasian, Widow(er), or Special Immigrant	6	ICE Demand Letter and Advocacy	1
Non-LPR Cancellation	5	Motion for Safeguards	1
I-130: Petition for Relative	2	Motion to Admin Close	1
VAWA	2	Motion to Continue	1
Adjustment of Status	1	Parole Redetermination	1
Asylee 209(c) Waiver	1	Post-Order Custody Review	1
Habeas Petition	1	Other Motions	1
I-246: Stay of Deportation or Removal	1		
I-730: Refugee/Asylee Relative Petition	1		
<b>Total Applications</b>	<b>131</b>	<b>Total Motions</b>	<b>46</b>

Evidence from grantee surveys, interviews, and narrative reports also reveal that immigration attorneys are often a front line of defense for the immigrant families they assist, providing referrals and meaningful interventions far beyond the immigration aspect of the case. For example, one legal team helped procure gas cards for an impoverished client who risked losing the liberty he had won by not being able to appear for required check-ins as part of the Intensive Supervision Appearance Program (ISAP) he

was enrolled in as an alternative to detention. The client was homeless, living out of his car, and located a substantial distance from the ISAP check-in location. Unable to afford gas for lengthy drives and ineligible to apply for social service benefits due to not having legal immigration status, the man’s release from detention was in jeopardy. One LAJF team’s case manager was able to reach out to a local homeless coalition that provided him with gas cards, allowing him to attend the check-ins and avoid being re-detained. Similarly, the stories highlighted in the spotlight at the opening of this report give a small glimpse into the value clients place on the representation provided through LAJF, whether they ultimately win or lose their cases.<sup>27</sup>

## What Does Deportation Defense Cost?

By the end of the first year, 15 LAJF grantees drew down a combined total of \$2,840,162, or 38 percent of the \$7.4 million two-year budget.<sup>28</sup> Figure 10 shows the distribution of this total across the various categories of grantees. The column labeled, “Total Spent across Grantees,” shows that more money was allocated to and therefore spent by organizations providing direct representation than by those supporting technical assistance and capacity-building. Among the direct representation grantees, those whose work includes detained cases spent substantially more than grantees working on children’s cases. Average cost per organization ranges from \$121,990 for capacity building grantees to \$229,243 among detained representation grantees. The average spent per grantee reflects fully loaded costs as proposed by grantees, including line items such as staff time, resources necessary to support legal defense and training, and infrastructure and overhead costs. Taken this way, it is clear that no single organization is receiving enough resources to fund an entire legal defense team at capacity—as it would cost far more than \$121,990 to \$229,243 a year to cover multiple salaries and accompanying costs. This has implications for efficiency discussed later in the report.

Figure 10: Total and Average Spent, Per Type of Grantee

<b>Grantee Type</b>	<b>Total Spent Across Grantees</b>	<b>Average Spent per Grantee</b>
Direct representation (11 grantees)	\$2,352,201	\$213,836
<i>Including detained representation (9 grantees)</i>	<i>\$2,063,183</i>	<i>\$229,243</i>
<i>Children’s cases (2 grantees)</i>	<i>\$289,018</i>	<i>\$144,509</i>
Capacity building (4 grantees)	\$487,961	\$121,990

## Calculating Case Cost

As Figure 10 above shows, the 11 grantees working on direct representation drew down a total of \$2,352,201 across 291 cases in Year 1 (ending December 2018). While simple math that divides the number of cases into the total spent might lead one to conclude that each case costs an average of \$8,083,

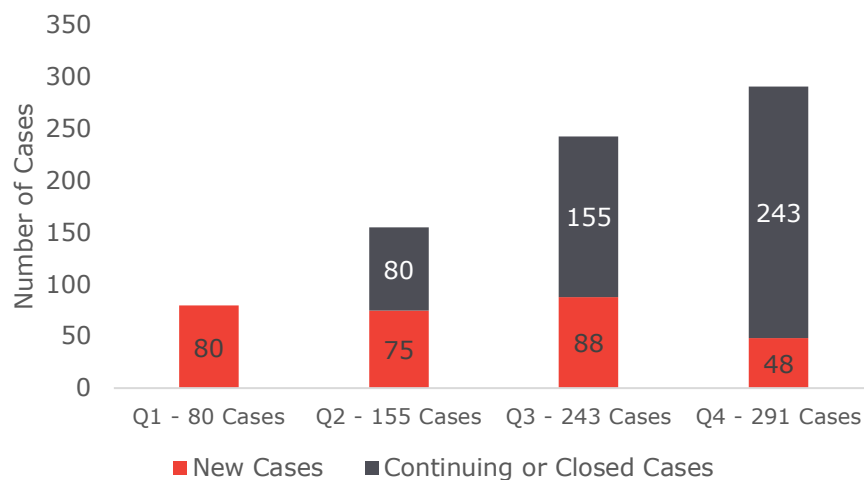
<sup>27</sup> All names in this report have been changed to protect interview participants’ identities.

<sup>28</sup> This number (and all cost analyses) includes financial information for the 15 grantees analyzed in this report, but does not include CLINIC, NFF, nor Vera.

that math omits many important variables. First, CCF administers LAJF funds through a grant model that assumes each organization will carry an agreed-upon caseload, as opposed to reimbursing for each case at a set rate. The caseload-based funding model used by CCF has had success in the immigration legal services field when combined with strong program management that ensures organizations are setting appropriate objectives and meeting them. Such a model allows each organization to optimize its distribution of resources across its cases in an environment with a fair amount of variability in the amount of labor required per case and the duration of the case (often pending many years on the immigration court docket). Thus, the funding covers a set of staff managing a set number of cases, leaving each organization to determine how the labor should be allocated across the cases. Second, the disbursement of grant funds is not aligned directly to when cases are taken. Many organizations were not fully staffed and ready to start accepting cases until several months into the first year, which is normal for a new program, but delayed the start of case-level work for these grantees. Some grantees were also delayed in developing the appropriate stakeholder relationships or screening mechanisms that would allow them to access potential clients. Additionally, grantees have continued to take cases after the December 2018 cutoff for reporting for this evaluation. As the number of cases increases while the funds disbursed remained relatively steady, the average case cost will decrease, highlighting the inaccuracy of this crude method for computing case costs.

Figure 11 below illustrates LAJF’s growth over the first year, showing the relationship between new and existing cases and the pace at which new cases were taken on. Overall, Figure 11 presents an image of steady growth in overall caseload. The relationship between new and overall cases will continue to vary depending on the number of closed cases that can be replaced with new cases. Almost all organizations reached optimal caseload capacity in Quarter 4 (Q4), indicated by the high number of continuing or closed cases compared to the lower number of new cases. Currently, 83 percent of cases (241 of 291) remain open.

Figure 11: New Cases as Portion of Total Caseload per Quarter



The relationship of the final number of cases accepted to funds expended will not be known until all the funds are distributed and the last case is taken at the end of 2019.<sup>29</sup> Similarly, 241 out of 291, or 83 percent of all cases accepted through December 31, 2018, were still pending by the end of Year 1, making it impossible to know how much effort these cases require until they are completed. All of these and many other factors will impact any preliminary cost-per-case analyses.

Using grantee objectives provided by CCF and grantees, Vera calculated that organizations proposed each attorney would carry an average caseload of between 14.5 and 38 cases. The variation in proposed and actual caseloads across LAJF grantees likely reflects, in part, the different factors that influence how much effort a case will require, including but not limited to whether and where clients are detained or released, how many people need to be screened in order to identify eligible cases, the level of complexity of the kind of legal work being done, the ease with which the legal team and client can communicate and the resources necessary to aid communication, whether representation is initiated at the start of the case, and the stage through which representation continues (e.g if there is a case appeal). For cases that begin in detention, attorneys may need to prepare a bond case to argue for release from custody in addition to the legal case itself. For all cases, there may be a need to engage multiple legal systems or agencies, including filing Freedom of Information Law (FOIL) and other requests for records, obtaining expert witnesses or forensic reports, reopening criminal cases, working with clients required to participate as witnesses in criminal proceedings related to their victimization, bringing cases before family court in order to receive determinations necessary for immigration benefits, or filing motions and applications with both the immigration courts and U.S. Citizenship and Immigration Services (USCIS), including when cases require appeals to the Board of Immigration Appeals or the circuit courts. Figure 9 above demonstrates the volume of motions and applications already filed with the immigration courts and USCIS.

While each grantee's caseload composition looks different, dividing the 291 accepted cases across 11 grantees doing direct representation work yields an average of 26 cases per organization thus far (or an average of 22 active cases when subtracting the cases closed to the program as of December 2018).<sup>30</sup> This is a surprisingly high number given some grantees did not begin taking cases until several months into the program and no single organization is receiving more than the equivalent of a few full-time lines. This also falls within the range of what grantees proposed would be feasible. Though there is not enough research in the field for there to be a "gold standard" for determining caseloads in deportation defense work, these numbers are consistent, and perhaps even overly ambitious in some instances, for caseloads at the higher end of this range if all cases are active removal defense cases in the adult context. At the same time, they do not reflect the economies of scale that could likely be achieved when a large number of staff are concentrated at a smaller number of organizations.

---

<sup>29</sup> Though this evaluation only covers Year 1, it is worth noting that in the first quarter of Year 2, the overall number of cases accepted grew from 291 to 375, representing a continued steady growth in overall numbers.

<sup>30</sup> With 241 out of 291 cases still pending by the end of Year 1, not all the remaining 50 cases closed. Only 32 cases closed by the end of December 2018, and the remaining 18 are instances where the attorney withdrew.

## Hourly Effort for County Cases

The County asked that all organizations track how many hours were spent on certain case-level activities to gain a better understanding of the labor involved in immigration legal representation. While grantees reported this to be an onerous part of LAJF work, it can be useful in the initial phase of a program to ensure accountability and demonstrate the labor necessary to achieve program goals. Grantees log hours under one of four codes requested by the County, with a fifth optional code added at grantee request to track activities that fall outside the scope of what the County funds, but are required for full scope representation. The activity codes are divided into the broad categories of:

- 1 – Initial case assessment, development, administration, and fact gathering;
- 2 – Court preparation;
- 3 – Court attendance;
- 4 – Case evaluation, client advice, and advocacy;
- 5 – Other case activity.

These activity categories are meant to capture only work that directly applies to a single case. Work beyond the scope of what is tracked here might include: hours spent driving to and from remotely located detention centers to meet with multiple clients, time spent screening potential clients when no eligible client emerges, research on an issue that transcends several cases, or time spent attending necessary legal trainings and workshops. The available data therefore underrepresents the immense amount of effort that attorneys put into their cases. The tracking required by the County underscores the importance of a caseload-based funding model that covers the comprehensive scope of work necessary for organizations to represent any single case. A reimbursement model that only accounts for the hours worked directly on a case will both underrepresent the staff time needed and the other costs attached to legal representation that might include translation and interpretation services, forensic examinations, expert witnesses, and costly filing fees.

Figure 12 below shows hours logged in the database for 118 County-funded cases as of the time of data extraction for analysis. Across these 118 cases, a combined total of 8,049.18 hours were logged in the database.<sup>31</sup> Twenty of these cases were completed in immigration court, and accounted for a combined total of 2,212.85 of the overall total hours (27.5 percent of effort so far). Attorneys withdrew in five cases, which completed with relatively fewer hours of effort.<sup>32</sup>

Figure 12: County-Funded Cases, Hourly Effort Thus Far

Case Status	Minimum	Maximum	Mean	Total Hours	Number of Cases
Open	0.50	428.50	61.62	5,730.58	93
Closed – completed	21.00	356.50	110.64	2212.85	20
Closed – attorney withdrew	1.25	59.00	21.15	105.75	5

<sup>31</sup> Among the 291 cases, 142 are funded by the County. Among these 142 cases, 118 logged hours in the database.

<sup>32</sup> An attorney might withdraw representation at a client's request (sometimes because the client has retained other counsel), if a client is transferred or moves to a jurisdiction somewhere else in the country, or here, because with additional research the attorney may deem the client ineligible for LAJF funding. Generally, however, once an attorney is on record as the representative in the case, she is required to remain on the case for its duration.

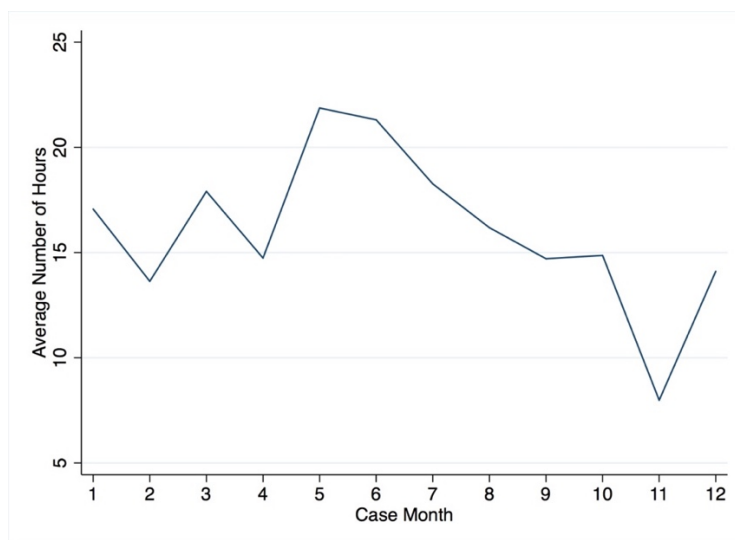


It is simply too soon in the program to derive too many conclusions from the hourly billing data. We cannot yet know how many hours it takes to represent a case, from beginning to end, with a sample comprised almost entirely of pending cases. For this same reason, it is too early in the process to make inferences about time across different types of cases. As Figure 12 shows, time spent on a case ranges from less than an hour (the “Minimum” column) to more than 400 hours (the “Maximum” column). The average amount of time spent per case (the “Mean” column) among completed cases was just over 100 hours, though this effort may reflect a skewed sample of completed cases—those that complete relatively early in the lifecycle of a case or were already far along toward completion when accepted for representation. The average among open cases is about 61 hours thus far, though that number will likely increase as more effort is expended on pending cases. Finally, about 21 hours were spent on cases by attorneys who withdrew from the case. While these averages, along with the minimum and maximum billed, are presented to give funders an idea of how effort is being expended, using averages can distort the range of time different cases may require, as the cases with high numbers of hours can drive up the mean.

Tables in Appendix 2 present a breakdown of the number of hours spent on cases by each activity code. For closed cases, initial case activities (code 1) took up the most time, accounting for 32 percent of attorneys’ time in completed cases and 70 percent of time in completed cases in which the attorney withdrew. Also worth noting is that nearly 10 percent of grantee time among all cases—open, and completed—is spent on a category of work grouped as “other case activities” (optional code 5), which accounts for time needed on direct case work that County funding does not cover.

To begin to conceptualize the amount of effort it takes to represent a case during the life cycle of cases, Figure 13 shows the average hours per case and case month. Case month refers to the number of months a case has been open under an LAJF attorney. For example, case month 1 refers to a case’s first 30 days under LAJF, case month 2 indicates a case at the time point of 31 to 60 days, and so on. As this figure shows, cases on average require the most effort during the first six months. This time may correspond roughly to the detention period for cases that begin detained. After about six months, the average effort needed begins to taper off. This suggests that in a model with funding spread over several years, organizations should be able to carry caseloads that consist of a blend of “active” and “inactive” (or less active) cases after about the first six months of each case. As Year 1 cases begin to complete at greater rates or reach a period of less intense legal activity, especially for those cases released from custody, attorneys would theoretically be able to take on additional work, provided funding is available to cover those cases as they extend beyond the two years of the pilot.

Figure 13: Average Hours per Case and Case Month



### Limitations to Current Cost Data and Centering Human Impact

Available data shows how much money has been committed to legal services organization. It does not show how much money is needed to get a program up and running, and keep it running. Many questions cannot be answered with the available data, such as: how much funding is needed to staff a deportation defense team and get to the door of the detention center or immigration court? Once that infrastructure exists, how much funding is necessary to adequately screen and then fully represent each case, and how does this change with different volumes and types of cases? Going forward, calculating this base cost using more sophisticated economic formulas could give a more accurate sense of the distribution of funds across base infrastructure versus each discreet case and the economies of scale that might be possible by consolidating the work in a smaller number of organizations with larger numbers of staff teams. Under the current Year 1 LAJF funding model, many organizations have needed to invest in similar infrastructure in order to carry a caseload.

As more cases complete and more funds are expended, the relative distribution of costs across infrastructure and direct representation activities could be modeled, but it is simply too soon in the program to engage in that sort of economic modelling. While effort-level billing is time consuming, it is not available in most immigration legal representation programs operating around the country. Doing such modelling with LAJF County billing data may well provide a greater value to the field as jurisdictions around the country are eager to know the cost of providing deportation defense at scale.

Finally, there are many benefits an investment in representation can achieve that cannot be quantified in the short term and are not included in this implementation evaluation. These include the radiating benefits of representation for clients, their social networks, and communities, as evidenced by the case studies at the top of the report, and the potential of representation to offset the lifetime costs of

separating families for those who win the right to remain in the United States. Communities benefit from representation, as employers retain their existing employees, and when their immigration status is protected, those employees continue to or begin to invest through taxes and earnings into local communities. Finally, when local governments invest in initiatives that protect and enhance immigrant communities, it may help to restore trust in government and encourage people to access services that benefit us all, like reporting crimes and seeking medical care.

## Strengthening LAJF's Success in Future Years

The first year of LAJF has built an infrastructure that can be fine-tuned over time to maximize impact and ensure longevity and efficiency to protect immigrants in Los Angeles long term. Improvements to the program's service delivery that could maximize the impact could include:

- expanded eligibility requirements that allow a greater number of local immigrants in or with ties to the region to receive access to the protections the Fund provides;
- a universal representation model that advances fairness, race equity, and due process for all by allowing all clients meeting income and residency requirements to access counsel without regard for the potential merits of the case;
- a reduction in tracking of hourly billing data – which could be accompanied by program oversight through an organization more familiar with immigration legal services case management that will know how to negotiate appropriate caseloads with each organization;
- more rigorous program oversight that consolidates reporting and grantee oversight into a single function, with a more clearly defined set of programmatic goals and objectives; and
- consolidated, multi-year funding or plans for multi-year funding to allow for long-term planning and remove uncertainty.

The discussion below elaborates on these findings.

## Refine Eligibility Requirements to Meet Local Need

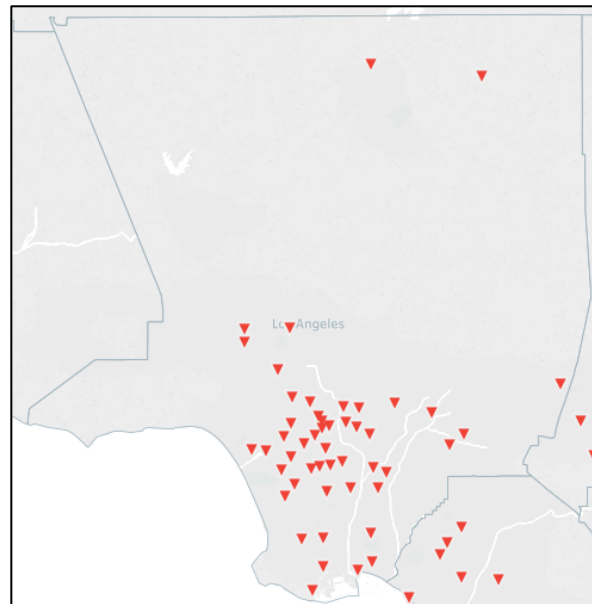
LAJF has stricter residency requirements than most other deportation defense programs in the country.<sup>33</sup> LAJF also excludes many people with convictions from receiving representation. Combined, these carve-outs prevent LAJF from serving many people with ties to Los Angeles in need of deportation defense. This encompasses people in detention who do not have access to appropriate documentation, including asylum seekers, the homeless population, and longtime residents who are the most likely to have prior criminal justice contact but also the strongest ties to the United States. These carve-outs have also meant that the Fund is not flexible enough to respond to acute needs such as those arising from

---

<sup>33</sup> Appendix 1 provides a point of comparison showing eligibility requirements and accompanying standards of proof among LAJF, the New York Immigrant Family Unity Project funded by New York City, and various other publicly funded deportation defense programs across the state of California. While New York funds representation for all people whose cases are heard at the “detained” docket at Varick Street Immigration Court in New York City, regardless of where they lived before their detention in the region, many of the other funds across California have deliberately flexible definitions of residency, and none of these other funds requires documentation to prove residency.

family separation in 2018, as separated families still failed to meet the strict eligibility requirements. These exclusions bar people who may have strong ties to the region or valid legal defenses from even being eligible for representation. Figure 14 below shows that many of the people denied representation claimed residence in Los Angeles.

Figure 14: People Screened out of LAJF Reside in the Fund’s Target Area



Attorneys working at grantee organizations repeatedly expressed frustration with the challenges created by the parameters of LAJF eligibility requirements, and, as one lawyer noted, “The LAJF team has encountered the recurring issue of having to decline to assist clients that fail to meet the LA County residency requirement but are detained at detention centers near Los Angeles County.” Another noted that a “significant challenge of the program is having to turn individuals away who do not meet the grant’s geographic or criminal eligibility requirements” and that this challenge has “been amplified with the demand for additional documentation of residency that is often unavailable to individuals in detention.”

Although there are some benefits to limited scope screenings, like allowing for an initial assessment by a lawyer, a possible referral to other legal sources, and giving clients the opportunity to be heard, current restrictions prevent many of those screenings from turning into representation for those who are often most vulnerable. Figure 15 illustrates this point by showing the vulnerabilities identified among people screened for LAJF representation and ultimately deemed ineligible. The largest category of those who were not accepted for representation are asylum seekers and those who may be eligible for other fear-based protections from deportation, followed by crime victims. Childhood arrivals and people who have significant medical and/or mental health needs also make up a substantial portion of those with vulnerabilities who were deemed ineligible for representation. Of course, this is just a small sample of

those who are determined to be ineligible, as organizations do not track every initial screening.<sup>34</sup> As one example, KIND conducted 85 intakes of children over 9 months, and has retained 37 (43 percent of those screened for assistance).

Figure 15: Vulnerabilities Among People Screened by LAJF but Ineligible for Representation

<b>Vulnerabilities Identified for Unrepresented Cases</b>	<b>Count</b>
Asylum seeker/fear-based protections	58
Victimization – Crime, domestic/intimate partner violence, child abuse/neglect, or trafficking	45
Childhood arrival (not UC)	28
Disability/significant medical needs + mental health needs	26
Has dependent(s) with disability/significant medical needs	15
Other	8
Homeless	7
<b>Total Unrepresented Cases with a Vulnerability Identified</b>	<b>72</b>

It is not surprising that the largest group of people deemed ineligible for representation includes people pursuing asylum and other fear-based protections, as they often have not been in the United States long enough to establish residency. For others, like people who are homeless, children, people with disabilities, and adults in detention who do not have access to documents, it is nearly impossible to meet what one lawyer called “burdensome evidentiary requirements to prove residency prior even to accepting a case.” This point arose repeatedly in interviews and conversations with lawyers at grantee organizations who were troubled by having to decline representation to some of the most vulnerable clients they screened. Often, as the same lawyer quoted above pointed out, detained clients in particular “have no access to documents given their isolation in detention. By the time we are able to access any documents (should any exist and, in many cases, they do not because of the instability of those who live in legal limbo) their cases have progressed too far for us to make a meaningful impact.”

The challenges of aligning proof of residency and acute need for representation were starkly visible following the family separations resultant from the Trump administration’s “zero-tolerance” policy announced in May 2018. Under this policy, the government announced it would prosecute any individual who entered the country without authorization. This policy led to mass familial separation as parents who entered with children were referred for prosecution, while their children who were placed with sponsors, relatives, in foster homes, or detained. In response to the family separation crisis, the County amended its LAJF agreement (the County and City of Los Angeles drafted their own individual agreements with CCF), relaxing the residency requirement somewhat to extend coverage to separated families. The LAJF family

<sup>34</sup> These cases come from a snapshot of 144 people who were screened but not represented and whose information was reported by a small handful of organizations tracking demographics of people denied representation by the Fund.

separation amendment stipulated that it was not necessary for children separated from their parents to be residents of Los Angeles County to be represented under LAJF County funding. Instead, children who were separated from their families at the U.S. Southern Border became eligible for representation if their parents or sponsors had ties to the County, and those parents and sponsors would also be eligible for representation. Separated families were also added to the list of prioritization criteria for LAJF. However, almost no separated families have been helped by the Fund because adults of eligible children have not been able to demonstrate residency in the County. Most of the separated families involved both adults and children who were new to the region.

Finally, grantees routinely name criminal carve-outs as hindering their abilities to serve communities in need of representation. One grantee organization estimated that criminal carve-outs prevent them from serving as many as half of the people they encounter in need of representation, and that many of these people are deeply entrenched members of communities in Los Angeles and have lived in the United States for decades.

### Achieving Greater Efficiencies and Economies of Scale

One challenge of a pilot project like LAJF—and most new deportation defense programs—is that they are not yet operating at scale. A relatively small number of staff are serving a relatively small number of clients, and the cost of doing so is not necessarily equivalent to what the cost of operating these programs will be when all eligible people in a given detention center, at a given docket, or in a particular community receive representation. Nonetheless, the analysis Vera undertook for this implementation evaluation makes clear that LAJF grantees confront a challenge that many other deportation defense programs do not in that strict eligibility requirements necessitate that more labor be spent in LAJF than other similar deportation defense programs in order to pre-screen cases before entering into representation agreements (see Appendix 1 for a comparison). This undoubtedly drives any per-case cost assumptions up, as instead of accepting for representation the first case they identify, an organization must sift through several cases—and then request documentation to review—before making determinations about eligibility, let alone begin work on the case. One simple and obvious way, then, to drive down costs per case is to reduce the screening burdens involved in identifying eligible clients. Another way to do so is to consolidate efforts at fewer organizations in order to maximize the efficiencies between screening and referring cases for representation. A third way is to limit the amount of data entry, document collection, and reporting required of grantees so the greatest amount of funding can be devoted to direct representation work.

Finally, while there is not yet published research on this in the field, Vera's own initial assessments of other representation programs demonstrate that financial efficiencies—in addition to equitable access to attorneys—can be enhanced when organizations apply a model that accepts cases as they become eligible rather than making representation decisions based on an assessment of the merits of the case. Such a merits-blind approach should ensure each attorney ends up with a mix of case types, some requiring less labor than others.

## Reduce Reporting Requirements

Grantees are currently required to collect hourly billing data for County-funded cases. Collecting this level of data makes sense at the beginning of a new program to learn how effort is being expended and ensure funding and effort levels are aligned. However, over time, greater efficiencies can be achieved by reducing this sort of onerous data collection and using what has already been collected to inform rates or effort levels appropriate under grants that determine funding at the caseload level. This data entry—in addition to other mandated reporting—takes valuable time away from attorneys and staff that could be better used to directly serve clients with the limited funds available. When asked how LAJF compares to other funding sources, one attorney noted, “Some of the challenges, such as time spent on administrative and non-case work, are unique to this program and not ones we face with other funding sources.” Additionally, with too much required reporting, the data quality becomes compromised, thus limiting its usefulness. Vera’s Year 2 evaluation could use the hourly data collected in Year 1 – with greater information about the total amount required to see a case through to completion—to recommend caseload ranges that could obviate the need to continue tracking data so intensely; data collection should then be refined to focus on the information funders and grantees deem most important for oversight and sustainability.

## Consolidate Reporting and Program Oversight

Because program oversight, reporting, and programmatic technical assistance are being coordinated by separate entities, it is difficult at times to ensure adequate follow-up on data entry issues or even programmatic challenges evidenced by the data or emerging in technical assistance processes. This creates opportunities for error and inefficiencies and means grantees must coordinate with multiple organizations to resolve errors and answer questions about reporting and program requirements and communicate where there is need for technical assistance. Streamlining program management to consolidate these functions in a single program management organization—to the extent feasible—could yield greater efficiencies and accountability.

## Clarify Overall Programmatic and Individual Grantee Goals and Objectives

LAJF began with a clear, central focus on deportation defense for detained immigrants. However, the wide range of grantees and shifting expectations and understandings of the program’s goals and objectives has created confusion and at times exacerbated inefficiencies. Not only do grantees divert important resources away from direct representation by searching for eligible clients when there are many people in detention and across the region who could immediately benefit from representation, but they are operating under a single grant (LAJF) that requires them to assess which of the grant’s multiple funding source should cover each case and to manage multiple forms of record keeping and documentation as a result of different sets of requirements for the various funding sources.

Several grantee organizations confided to Vera staff that they were not likely to continue to work on the Fund if it continued to have multiple objectives, ongoing shifts in requirements and expectations,



and time-consuming reporting requirements. Another commented that “Our attorneys are often confronted with ‘gray’ areas on cases where our organization is unsure if a case falls within the LAJF criteria. Moreover, we have had challenges in knowing how and in what format we should be reporting cases.” Yet another LAJF attorney noted that because of shifts in how requirements were communicated over the first year, “the gap between reportable and non-reportable activities is confusing. Attorneys doing the direct removal defense legal work should have clear guidelines about reporting requirements.” In the next phase of the program, funders, stakeholders, and grantees should all agree to consistent, focused, and unambiguous program objectives and guidelines against which progress may be reported and measured.

### Commit to Consolidated and Sustained Funding

Much of LAJF’s first year was spent building the necessary infrastructure to implement the program across 11 direct services organizations and four technical assistance organizations (later five with the addition of CLINIC). The normal challenges of program start-up were exacerbated by the fact that the sheer number of grantees meant most did not receive enough funding to hire multiple staff necessary to yield economies of scale and allow for team-based approaches. As one manager observed, “We struggled to fully staff the program. There is currently much competition for staff attorneys, and this competition only increased with the funding of so many organizations under the program.” Another underscored this point, saying their organization had applied for funding because of the initial focus on detained work but was evaluating whether it was viable to continue to work with LAJF given “funding was not focused and was spread to too many organizations, meaning less impact for detained work.” When too many organizations each receive small grants, each is constrained from hiring more attorneys and staff, preventing the centralization of a cohesive program with a unified team that would allow for easily accessible support in a common location, and the achievement of other economies of scale. While the sheer number of grantees has allowed LAJF to invest in many organizations, going forward, more clearly defined goals and objectives can aid funders in determining how to consolidate higher levels of funding among a smaller pool of organizations best aligned with the Fund’s vision. This should yield efficiencies and consolidate efforts to maximize returns.

The limited resources that grantees grapple with is not only evident in the few attorneys and staff funded by LAJF at each organization, but grantee surveys and narrative reports consistently mention a lack of resources and as hindering their abilities to take on as many cases as ideal. In particular, one organization noted that their vision for joining LAJF was to “have sufficient power in numbers at the Adelanto Detention Facility to be able to change the culture towards a model where legal representation is viewed as the norm, rather than an aberration, in the court and detention systems...to foster a modicum of due process.” However, this cultural shift never took place, and though this may be partly due to the hostile political climate toward immigration in the current era, “the power in numbers we had anticipated has not materialized given the small number of LAJF attorneys at each individual organization.” While



the Fund has supported portions of many staff across many organizations, each organization has been able to fund only a few.

Finally, to the extent possible, committing to sustained funding or providing funding in greater than one-year intervals will allow legal service providers to manage caseloads efficiently to ensure they have adequate funding and staffing, especially to cover non-detained immigration court cases for the several years non-detained cases may take. In order to yield the greatest efficiencies and continuity of high-quality representation, organizations providing the work need clarity as to longevity of program funding so they can plan and distribute caseloads most effectively and take on an optimal number of cases without worrying funding will disappear.

Attorneys may be reluctant to take on certain cases that could go on for years because they may deem it unethical to begin a case without a guarantee that the case will be funded through to completion. A lack of a multi-year funding commitment may lead to the systematic underrepresentation of those who may need attorneys the most, those with complex cases that could last for a long time. Finally, to the extent LAJF can commit to funding across a longer time horizon, legal service providers will be best able to manage caseloads to ensure they have adequate funding and staffing, especially to cover non-detained immigration court cases (including former unaccompanied children) for the several years these cases often take.

## Conclusion

Los Angeles is part of a growing network of jurisdictions committed to deportation defense, and LAJF is part of a growing movement that is helping catalyze state and national momentum for publicly funded deportation defense. As one of the nation's largest cities, Los Angeles is well positioned to play a leading role in the growing movement in support of publicly funded deportation defense programs. Moreover, deportation defense is a crucial way for the Los Angeles leaders to demonstrate their commitment to immigration as a key priority.

LAJF is already changing the lives of immigrants with deep ties to the United States and Los Angeles and protecting vulnerable community members. While unmet deportation defense need is tremendous in California—more than one local fund alone can tackle—LAJF has changed the landscape of unmet need in Los Angeles and can continue to play a key role in building a safety net for immigrants and their families and communities.

## Appendices

### Appendix 1: Representation Program Comparisons

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

## Appendix 2: County Billing Data<sup>35</sup>

### Hours per Activity Code, Open and Closed County-Funded Cases

	Activity Code					All Codes
	1	2	3	4	5	
All Cases, Total Hours	1,816.7	2,517.4	491.8	2,531.1	692.3	8,049.2
Percent of Time	23%	31%	6%	31%	9%	100%
Open Cases, Total Hours	1,039.3	1,900.8	361.3	1,945.3	484.0	5,730.6
Percent of Time	18%	33%	6%	34%	8%	100%
Closed – Completed, Total Hours	703.9	604.7	122.8	573.8	207.8	2,212.9
Percent of Time	32%	27%	6%	26%	9%	100%
Closed – Attorney Withdrew, Total Hours	73.5	12.0	7.8	12.0	0.5	105.8
Percent of Time	70%	11%	7%	11%	<1%	100%

N = 118 cases (93 open cases, 20 completed, and 5 closed due to attorney withdrawal)

### Detailed Hourly Billing Data<sup>36</sup>

#### Quarter 1

Figure A: Q1, Monthly Activity (in Hours) for County-Funded Adult Removal Defense Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Jan 2018	123.8	46.0	31.3	6.8	N/A	207.8	15	13.9
Feb 2018	115.8	140.5	30.8	87.0	5.0	379.0	19	19.9
Mar 2018	106.8	177.3	21.8	56.5	3.5	365.8	25	14.6
<b>Q1 Total</b>	<b>346.3</b>	<b>363.8</b>	<b>83.8</b>	<b>150.3</b>	<b>8.5</b>	<b>952.5</b>	<b>25</b>	<b>38.1</b>

Figure B: Q1, Monthly Activity (in Hours) for County-Funded Children's Cases (KIND and Bet Tzedek)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Jan 2018	1.8	0.7	0.0	5.6	0.0	8.1	3	2.7
Feb 2018	7.7	1.0	0.2	3.7	0.0	12.6	3	4.2
Mar 2018	12.2	1.1	0.2	4.1	0.0	17.6	5	3.5
<b>Q1 Total</b>	<b>21.7</b>	<b>2.8</b>	<b>0.4</b>	<b>13.4</b>	<b>0.0</b>	<b>38.3</b>	<b>5</b>	<b>7.7</b>

<sup>35</sup> Totals in this section may not exactly match the column or row sum due to rounding.

<sup>36</sup> The sum of hours across all tables included in this section may not add up to the 8,049 network total hours as indicated in the main text of the report, due updates to data entry. Grantees sometimes update hours for a given quarter after the quarterly reporting deadline. Therefore, the hours listed in the appendix, drawn from previous quarterly reports, do not include hours that were updated at a later date, and that are reported on in the main text of this document.

Figure C: Q1, Monthly Activity (in Hours) for County-Funded Affirmative Cases (LAFLA)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Jan 2018	0.0	0.0	0.0	23.8	5.5	29.3	6	4.9
Feb 2018	0.0	0.0	0.0	11.0	4.0	15.0	6	2.5
Mar 2018	0.0	0.0	0.0	5.0	2.3	7.3	6	1.2
<b>Q1 Total</b>	0.0	0.0	0.0	39.8	11.8	51.5	6	8.6

Figure D: Q1, Monthly Activity (in Hours) for All County-Funded Cases by Provider

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
<b>Jan 2018</b>								
Advancing Justice LA	1.0	4.3	-	1.8	-	7.0	3	2.3
Bet Tzedek (UC)	0.8	0.7	0.0	5.6	-	7.1	2	3.6
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	1.5	-	-	5.0	-	6.5	4	1.6
Esperanza	-	-	-	-	-	-	1	-
IDLC	113.5	5.0	1.8	-	-	120.3	3	40.1
KIND (UC)	1.0	-	-	-	-	1.0	1	1.0
LAFLA (Affirmative)	-	-	-	23.8	5.5	29.3	6	4.9
Public Counsel	7.8	36.8	29.5	-	-	74.0	4	18.5
<b>Feb 2018</b>								
Advancing Justice LA	7.3	15.8	4.0	10.0	-	37.0	4	9.3
Bet Tzedek (UC)	3.7	1.0	0.2	3.7	-	8.6	2	4.3
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	1.5	1.3	2.0	4.5	-	9.3	5	1.9
Esperanza	15.0	85.0	1.5	60.0	5.0	166.5	1	166.5
IDLC	89.0	24.3	7.3	12.5	-	133.0	5	26.6
KIND (UC)	4.0	-	-	-	-	4.0	1	4.0
LAFLA (Affirmative)	-	-	-	11.0	4.0	15.0	6	2.5
Public Counsel	3.0	14.3	16.0	-	-	33.3	4	8.3
<b>Mar 2018</b>								
Advancing Justice LA	0.3	40.5	7.8	24.8	-	73.3	5	14.7
Bet Tzedek (UC)	6.2	1.1	0.2	0.6	-	8.1	2	4.1
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	-	12.5	4.0	7.0	-	23.5	5	4.7
Esperanza	-	95.5	3.5	-	1.5	100.5	1	100.5
IDLC	104.8	21.5	3.5	24.5	-	154.3	9	17.1
KIND (UC)	6.0	-	-	3.5	-	9.5	3	3.2
LAFLA (Affirmative)	-	-	-	5.0	2.3	7.3	6	1.2
Public Counsel	1.8	7.3	3.0	0.3	2.0	14.3	5	2.9
<b>Q1 Total</b>	368.0	366.6	84.2	203.4	20.3	1042.3	36	29.0

## Quarter 2

Figure E: Q2, Monthly Activity (in Hours) for County-Funded Adult Removal Defense Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Apr 2018	177.75	57.45	22.25	66.5	0.5	324.45	25	13.0
May 2018	196.95	98.1	28	251.35	13	587.4	29	20.3
June 2018	191.1	205.2	71.1	122.6	8.5	598.5	31	19.3
<b>Q2 Total</b>	<b>565.8</b>	<b>360.75</b>	<b>121.35</b>	<b>440.45</b>	<b>22</b>	<b>1,510.35</b>	<b>31</b>	<b>48.7</b>

Figure F: Q2, Monthly Activity (in Hours) for County-Funded UC Cases (KIND and Bet Tzedek)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Apr 2018	6.6	0.7	-	2	-	9.3	2	4.7
May 2018	7.7	-	-	20.6	-	28.3	1	28.3
June 2018	37.1	3.7	7.8	28.6	-	77.2	1	77.2
<b>Q2 Total</b>	<b>51.4</b>	<b>4.4</b>	<b>7.8</b>	<b>51.2</b>	<b>-</b>	<b>114.8</b>	<b>1</b>	<b>114.8</b>

Figure G: Q2, Monthly Activity (in Hours) for County-Funded Affirmative Cases (LAFLA)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Apr 2018	5.6	0.7	-	9	0.75	16.05	4	4.0
May 2018	-	-	-	-	-	-	8	-
June 2018	-	-	-	-	-	-	12	-
<b>Q2 Total</b>	<b>5.6</b>	<b>0.7</b>	<b>-</b>	<b>9</b>	<b>0.75</b>	<b>16.05</b>	<b>12</b>	<b>1.3</b>

Figure H: Q2, Monthly Activity (in Hours) for County-Funded Withholding-Only & "Other" Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
Apr 2018	26.35	23.45	15	16.5	0.75	82.05	4	20.5
May 2018	-	-	-	-	-	-	5	-
June 2018	-	-	-	-	3.5	3.5	6	0.6
<b>Q2 Total</b>	<b>26.35</b>	<b>23.45</b>	<b>15</b>	<b>16.5</b>	<b>4.25</b>	<b>85.55</b>	<b>6</b>	<b>14.3</b>

Figure I: Q2, Monthly Activity (in Hours) for All County-Funded Cases by Provider

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
<b>Apr 2018</b>								
Advancing Justice LA	-	4.0	10.0	26.0	0.5	40.5	5	8.1
Bet Tzedek (UC)	5.6	0.7	-	2.0	-	8.3	4	2.1
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	-	2.0	-	0.5	-	2.5	6	0.4
Esperanza	6.5	1.75	0.25	-	-	8.5	3	2.8
IDLC	169.7	20.0	6.0	43.0	-	238.7	17	14.0
KIND (UC)	1.0	-	-	-	-	1.0	5	0.2
LAFLA (Affirmative)	-	-	-	7.0	0.75	7.8	1	7.8
LA LGBT Center	-	22.75	14.0	9.5	0.75	47.0	10	4.7
Public Counsel	16.8	29.0	7.0	-	-	52.8	5	10.6
<b>May 2018</b>								
Advancing Justice LA	-	2.0	5.0	25.5	-	32.5	5	6.5
Bet Tzedek (UC)	-	-	-	-	-	0.0	3	-
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	-	-	-	-	-	0.0	7	-
Esperanza	12.0	20.0	4.75	55.25	4.0	96.0	8	12.0
IDLC	167.75	65.5	11.25	155.75	-	400.3	18	22.2
KIND (UC)	-	-	-	-	-	0.0	5	-
LAFLA (Affirmative)	8.75	-	-	11.0	-	19.8	1	19.8
LA LGBT Center	-	-	-	6.0	-	6.0	11	0.5
Public Counsel	19.0	32.1	13.0	28.25	9.0	101.4	8	12.7
<b>June 2018</b>								
Advancing Justice LA	2.5	-	4.5	23.5	-	30.5	7	4.4
Bet Tzedek (UC)	-	-	-	-	-	0.0	4	-
CARECEN	-	-	-	-	-	-	-	-
CHIRLA	-	0.5	-	-	-	0.5	7	0.1
Esperanza	17.75	27.75	14.3	17.5	11.0	88.3	8	11.0
IDLC	95	180.5	42.75	27.0	-	345.3	18	19.2
KIND (UC)	-	-	-	-	-	0.0	7	-
LAFLA (Affirmative)	20.25	-	-	62.75	-	83.0	1	83.0
LA LGBT Center	-	3.5	-	1.5	-	5.0	11	0.5
Public Counsel	42.25	3.25	3.75	27.5	1.0	77.8	10	7.8
<b>Q2 Total</b>	<b>177.75</b>	<b>215.5</b>	<b>65.3</b>	<b>159.75</b>	<b>12.0</b>	<b>630.3</b>	<b>73</b>	<b>250.3</b>

## Quarter 3

Figure J: Q3, Monthly Activity (in Hours) for County-Funded Adult Removal Defense Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
July 2018	20.8	192.5	54.0	260.2	100.0	627.4	60	10.5
August 2018	180.3	155.3	20.8	299.3	126.0	781.6	63	12.4
September 2018	153.3	163.3	47.3	231.1	123.1	718.0	72	10.0
<b>Q3 Total</b>	<b>354.4</b>	<b>511.1</b>	<b>122.0</b>	<b>790.5</b>	<b>349.1</b>	<b>2,127</b>	<b>72</b>	<b>29.5</b>

Figure K: Q3, Monthly Activity (in Hours) for County-Funded UC Cases (KIND and Bet Tzedek)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
July 2018	36.7	13.5	7.2	7.9	-	65.3	12	5.4
August 2018	12.2	8.2	10	22.4	68.5	121.3	14	8.7
September 2018	32.6	31.5	2.5	9.8	23.6	100	15	6.7
<b>Q3 Total</b>	<b>81.5</b>	<b>53.2</b>	<b>19.7</b>	<b>40.1</b>	<b>92.1</b>	<b>286.6</b>	<b>15</b>	<b>19.1</b>

Figure L: Q3, Monthly Activity (in Hours) for County-Funded Affirmative Cases (LAFLA)<sup>37</sup>

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
July 2018	96.5	2.3	-	81.8	18.3	198.8	N/A	N/A
August 2018	58.3	2.0	-	96.3	31.5	188.0	N/A	N/A
September 2018	1.5	-	1.3	82.3	23.8	108.8	18	6.0
<b>Q3 Total</b>	<b>156.3</b>	<b>4.3</b>	<b>1.3</b>	<b>260.3</b>	<b>73.5</b>	<b>495.5</b>	<b>18</b>	<b>27.5</b>

Figure M: Q3, Monthly Activity (in Hours) for County-Funded Withholding-Only, Post-Order & Other Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
July 2018	11.8	-	-	2.8	0.5	15.1	4	3.8
August 2018	1.0	7.0	-	2.8	0.5	11.3	4	2.8
September 2018	11.0	78.0	-	9.8	3.3	102.1	5	20.4
<b>Q3 Total</b>	<b>23.8</b>	<b>85.0</b>	<b>-</b>	<b>15.4</b>	<b>4.3</b>	<b>128.5</b>	<b>5</b>	<b>25.7</b>

<sup>37</sup> As LAFLA does not use the LAJF database, Vera is unable to count the number of open cases for each month within the quarter; this information is only available at the end of the quarter. The average hours per County-funded LAFLA case for July and August 2018 is not provided in Figures 14 and 16.

Figure N: Q3, Monthly Activity (in Hours) for All County-Funded Cases by Provider

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
<b>July 2018</b>								
Advancing Justice LA	12	20.3	-	51	1.5	84.8	7	12.1
Bet Tzedek (UC)	16.2	2.5	0.2	4.2	-	23.1	5	4.6
CARECEN	-	-	-	-	-	-	1	-
CHIRLA	-	-	-	-	-	-	6	-
Esperanza	5	34.8	13.75	10.5	4.5	68.6	13	5.3
IDLC	6	105.8	30.5	181.5	74.75	398.6	19	21.0
KIND (UC)	20.5	11	7	3.7	-	42.2	7	6.0
LAFLA (Affirmative)	96.5	2.25	-	81.75	18.25	198.8	N/A	N/A
LA LGBT Center	-	5.5	-	5.5	-	11.0	4	2.8
Public Counsel	6.5	27.8	9.75	15.1	19.25	78.4	11	7.1
USC	3	-	-	2.3	0.5	5.8	4	1.5
<b>August 2018</b>								
Advancing Justice LA	1	7.75	2	49.5	-	60.3	8	7.5
Bet Tzedek (UC)	12.2	0.7	-	17.8	68.5	99.2	7	14.2
CARECEN	-	-	-	-	-	-	2	-
CHIRLA	-	-	-	-	-	-	6	-
Esperanza	3.5	13.75	5.25	31.5	-	54.0	13	4.2
IDLC	160	102.75	8.75	195	112.5	579.0	20	29.0
KIND (UC)	-	7.5	-	4.6	-	12.1	7	1.7
LAFLA (Affirmative)	58.25	2	-	96.25	31.5	188.0	N/A	N/A
LA LGBT Center	-	-	-	6	-	6.0	4	1.5
Public Counsel	15.8	31	4.75	22.9	13.5	88.0	11	8.0
USC	11	7	-	2	0.5	20.5	4	5.1
<b>September 2018</b>								
Advancing Justice LA	-	2.3	-	37.8	-	40.1	8	5.0
Bet Tzedek (UC)	23.6	16.4	0.5	3.8	23.6	67.9	8	8.5
CARECEN	-	-	-	-	-	-	3	-
CHIRLA	-	-	-	-	-	-	6	-
Esperanza	8	20.5	9.5	9	9.5	56.5	13	4.3
IDLC	123	89.5	25.25	172.5	78.25	488.5	22	22.2
KIND (UC)	9	15.1	2	6	-	32.1	7	4.6
LAFLA (Affirmative)	1.5	-	1.25	82.25	23.75	108.8	18	6.0
LA LGBT Center	4.5	51.5	-	3.3	-	59.3	7	8.5
Public Counsel	16	24.6	12.5	9	34.75	96.9	15	6.5
USC	19.3	79	-	9.3	3.75	111.4	5	22.3
<b>Q3 Total</b>	<b>632.4</b>	<b>681.3</b>	<b>133.0</b>	<b>1,114.1</b>	<b>518.9</b>	<b>3,079.5</b>	<b>112</b>	<b>27.5</b>



## Quarter 4

Figure O: Q4, Monthly Activity (in Hours) for County-Funded Adult Removal Defense Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
October 2018	146.5	322.7	37.0	333.6	83.5	923.2	84	11.0
November 2018	131.0	286.6	20.8	292.1	117.3	847.7	90	9.4
December 2018	102.0	116.8	19.0	177.3	59.3	474.3	93	5.1
<b>Q4 Total</b>	<b>379.5</b>	<b>726.0</b>	<b>76.8</b>	<b>802.9</b>	<b>260.0</b>	<b>2,245.2</b>	<b>93</b>	<b>24.1</b>

Figure P: Q4, Monthly Activity (in Hours) for County-Funded UC Cases (KIND and Bet Tzedek)

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
October 2018	35.8	32.3	0.8	48.9	20.9	138.7	21	6.6
November 2018	38.4	2.4	-	35.0	40.7	116.5	21	5.5
December 2018	18.2	12.4	4.0	23.3	2.3	60.2	21	2.9
<b>Q4 Total</b>	<b>92.4</b>	<b>47.1</b>	<b>4.8</b>	<b>107.2</b>	<b>63.9</b>	<b>315.4</b>	<b>21</b>	<b>15.0</b>

Figure Q: Q4, Monthly Activity (in Hours) for County-Funded Affirmative Cases (LAFLA)<sup>38</sup>

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
October 2018	-	-	-	-	-	-	21	-
November 2018	3.5	8.5	5.0	112.9	7.8	137.6	22	6.3
December 2018	-	45.5	6.0	129.5	14.8	195.8	22	8.9
<b>Q4 Total</b>	<b>3.5</b>	<b>54.0</b>	<b>11.0</b>	<b>242.4</b>	<b>22.5</b>	<b>333.4</b>	<b>22</b>	<b>15.2</b>

Figure R: Q4, Monthly Activity (in Hours) for County-Funded Withholding-Only and Other Cases

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
October 2018	10.5	7.0	2.0	4.0	-	23.5	6	3.9
November 2018	10.0	46.5	-	3.0	-	59.5	6	9.9
December 2018	-	6.0	1.3	2.8	2.0	12.0	6	2.0
<b>Q4 Total</b>	<b>20.5</b>	<b>59.5</b>	<b>3.3</b>	<b>9.8</b>	<b>2.0</b>	<b>95.0</b>	<b>6</b>	<b>15.8</b>

<sup>38</sup> As LAFLA did not previously use the LAJF database, Vera is unable to count the number of open cases for each month within the quarter; this information is only available at the end of the quarter.

Figure S: Q4, Monthly Activity (in Hours) for All County-Funded Cases by Provider

Activity Code	1	2	3	4	5	Sum of Hours	Total Open County Cases	Average Hours Per Case
<b>October 2018</b>								
Advancing Justice LA	2.5	27.5	4.0	71.25	6.75	112.0	8	14.0
Bet Tzedek (UC)	35.8	27.3	0.8	45.0	20.9	129.8	13	10.0
CARECEN	-	-	-	-	-	-	2	-
CHIRLA	-	-	-	-	-	-	6	-
Esperanza	11.0	33.0	13.0	10.0	2.0	69.0	10	6.9
IDLC	116.0	183.5	14.5	196.33	40.25	550.6	20	27.5
KIND (UC)	-	5	-	3.9	-	8.9	8	1.1
LAFLA (Affirmative)	-	-	-	-	-	-	25	N/A
LA LGBT Center	5.0	37.25	3.75	14.0	7.75	67.8	14	4.8
Public Counsel	22.5	30.9	3.75	10.25	26.75	94.2	13	7.2
USC	-	17.5	-	35.75	-	53.3	5	10.7
<b>November 2018</b>								
Advancing Justice LA	-	6.25		47.75	3.75	57.8	8	7.2
Bet Tzedek (UC)	38.4	0.4	-	32.5	40.7	112.0	13	8.6
CARECEN	-	-				-	2	-
CHIRLA	-	-				-	6	-
Esperanza	-	22.0	6.75	4.0	4.0	36.8	10	3.7
IDLC	112.0	13.0	5.0	182.0	59.0	371.0	20	18.6
KIND (UC)	-	2.0		2.5		4.5	8	0.6
LAFLA (Affirmative)	3.5	8.5	5.0	112.85	7.75	137.6	29	N/A
LA LGBT Center	16.0	45.5	0.5	19.75	6.25	88.0	17	5.2
Public Counsel	2.0	126.85	6.5	7.35	42.25	185.0	13	14.2
USC	11.0	114.0		24.75	1.5	151.3	5	30.3
<b>December 2018</b>								
Advancing Justice LA	-	-	4.0	44.75	5.5	54.3	8	6.8
Bet Tzedek (UC)	18.2	12.4	2.0	21.3	2.3	56.2	13	4.3
CARECEN	-	-	-	-	-	-	2	-
CHIRLA	-	-	-	-	-	-	6	-
Esperanza	-	-	-	-	-	-	10	-
IDLC	99.0	50.5	7.5	58.0	26.75	241.8	21	11.5
KIND (UC)	-	-	2.0	2.0	-	4.0	8	0.5
LAFLA (Affirmative)	-	45.5	6.0	129.5	14.75	195.8	29	6.8
LA LGBT Center	2.75	2.0	1.25	14.75	2.0	22.8	20	1.1
Public Counsel	0.25	41.75	1.5	5.25	13.75	61.9	14	4.5
USC	-	6.0	-	16.0	-	22.0	5	4.4
<b>Q4 Total</b>	<b>495.9</b>	<b>858.6</b>	<b>87.8</b>	<b>1,111.5</b>	<b>334.7</b>	<b>2,888.4</b>	<b>112.0</b>	<b>25.8</b>

**Los Angeles Justice Fund  
Year 2, Quarter 3  
Quarterly Report**

**REPORT OF LOS ANGELES JUSTICE FUND ACTIVITIES**

November 27, 2017, through September 30, 2019

**COMPILED BY THE**

**CALIFORNIA COMMUNITY FOUNDATION**

**FOR THE**

**CITY OF LOS ANGELES  
COUNTY OF LOS ANGELES  
WEINGART FOUNDATION**

**November 21, 2019**



# Table of Contents

<b>Year 2, Quarter 3 L.A. Justice Fund Quarterly Report</b>		<b>Pg. #</b>
<b>I.</b>	<b>Program Background and Goals</b>	<b>03</b>
<b>II.</b>	<b>Program Structure &amp; Grants</b>	<b>03</b>
<b>III.</b>	<b>Program Outcomes to Date</b>	<b>04</b>
	<b>A. Direct Representation</b>	<b>05</b>
	<b>B. Capacity Building</b>	<b>05</b>
<b>IV.</b>	<b>Challenges to Representation</b>	<b>07</b>
<b>V.</b>	<b>Grantee Convenings</b>	<b>08</b>
<b>VI.</b>	<b>Financial Reporting Updates</b>	<b>09</b>
<b>VII.</b>	<b>Conclusion</b>	<b>10</b>

## **Quarterly Report Attachments**

---

<b>VIII.</b>	<b>Attachment A: Vera Y2Q2 LAJF Quarterly Report</b>
<b>IX.</b>	<b>Attachment B: Capacity Building Trainings for Grantees</b>
<b>X.</b>	<b>Attachment C: Policy Changes Affecting Legal representation in LA County</b>
<b>XI.</b>	<b>Attachment D: LAJF Quarterly Expenditures Report</b>
<b>XII.</b>	<b>Attachment E: LAJF Stories of Impact</b>

The California Community Foundation is pleased to submit **the third quarterly report of the second year (Y2Q3)** of the program summarizing cumulative activities and progress made by the Los Angeles Justice Fund (LAJF) **from the start of the program on November 27, 2017 through the end of this reporting period September 30, 2019.** This report has been prepared for the partners of the LAJF, a public-private partnership between the County of Los Angeles (L.A. County), the City of Los Angeles (City of L.A.), the Weingart Foundation and the California Community Foundation (CCF) to bolster and expand access to legal representation for Los Angeles County immigrants facing the threat of deportation. As the fiscal and program administrator of the LAJF, the CCF, in partnership with the Vera Institute of Justice (Vera), provides quarterly reports throughout the project.

## **I. PROGRAM BACKGROUND AND GOALS**

The LAJF was created in response to major national policy shifts that have resulted in increased immigration enforcement and a growing demand for legal representation services in L.A. County. The goal of the LAJF is to provide legal representation services for the most vulnerable immigrants detained by immigration officials, are subject to removal proceedings, and/or have a final order of removal. The program seeks to achieve this by supporting the following strategies:

1. direct legal representation via nonprofit legal services providers;
2. capacity building to increase the number of removal defense providers; and
3. expansion of pro bono legal services.

## **II. PROGRAM STRUCTURE & GRANTS**

As the fiscal sponsor and program administrator for the LAJF, CCF administers funding for 17 nonprofit organizations funded under the LAJF with combined funding from the City of LA, the County of Los Angeles, the Weingart Foundation and CCF. In this role, CCF collects grantee reports and convenes grantees to support best practices. In addition, CCF is partnering with the Vera Institute of Justice (Vera) to manage data collection for direct representation cases. Vera submits quarterly reports to CCF with data summarizing immigration legal cases represented by the LAJF (*Attachment A*).

As a public-private partnership, funds are used according to their restrictions. Direct representation cases are funded primarily with public dollars and capacity building, technical support and non-direct legal services are supported with philanthropic dollars. The following is an outline of LAJF grant recipients:

- 11 nonprofit legal service providers for direct representation (see full table below);
- 4 nonprofits for capacity building services to strengthen the removal defense field (included in table below);
- the Nonprofit Finance Fund (NFF) for one-on-one financial management consulting services to a cohort of grantees';
- Program for Torture Victims for medical and psychological forensic reports in collaboration with the direct legal service providers.

---

<sup>1</sup> The NFF grant ended August 17, 2019 with the completion of their LAJF: Lessons and Recommendations from the Pilot Program report.

City and County are each paying CCF a one percent fee for administrative and indirect costs (details included in table below). The table below shows a breakdown list of grantees and expenses with their respective category strategy and total amount granted.

**Table: LAJF Grantees by Program Strategy and Grant Amount**

<b>Organization</b>	<b>Category</b>	<b>Grant</b>
1. Asian Americans Advancing Justice – Los Angeles (AAAJ-LA)	Legal Representation	\$ 575,000.00
2. Bet Tzedek Legal Services	Legal Representation (Children)	\$ 325,000.00
3. Central American Resource Center (CARECEN)	Legal Representation	\$ 575,000.00
4. Coalition for Humane Immigrant Rights (CHIRLA)	Legal Representation	\$ 575,000.00
5. Catholic Legal Immigration Network, Inc. (CLINIC)	Capacity Building (Technical Assistance, Training and Mentorship)	\$ 200,000.00
6. Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles (Esperanza)	Legal Representation	\$ 575,000.00
7. Immigrant Defenders Law Center (ImmDef)	Legal Representation	\$ 775,000.00
8. Kids in Need of Defense (KIND)	Legal Representation (Children)	\$ 200,000.00
9. Los Angeles LGBT Center	Legal Representation	\$ 325,000.00
10. Legal Aid Foundation of Los Angeles (LAFLA)	Legal Representation	\$ 575,000.00
11. Loyola Immigrant Justice Clinic (LIJC), Loyola Law School	Capacity Building (Training, Removal Defense Pipeline)	\$ 260,000.00
12. Nonprofit Finance Fund (NFF)	Technical Assistance	\$ 200,000.00
13. OneJustice	Capacity Building (Pro Bono Removal Defense)	\$ 225,000.00
14. Program for Torture Victims (PTV)	Capacity Building and Technical Assistance for legal representation cases (Medical and Psychological Forensic Evaluations)	\$ 300,000.00
15. Public Counsel Law Center	Legal Representation	\$ 700,000.00
16. Southwestern Law School, Immigration Clinic (SWLC)	Capacity Building (Training and Removal Defense Pipeline)	\$ 260,000.00
17. USC Gould School of Law, Immigration Clinic	Legal Representation (Appellate Only)	\$ 180,000.00
<b>SUB TOTAL</b>		<b>\$ 6,825,000.00</b>
1. California Community Foundation (CCF)	Program and Grants Administrator	\$ 50,000.00
2. Vera Institute of Justice, Center on Immigration and Justice (Vera)	Data Collection and Program Evaluation	\$ 600,000.00
<b>TOTAL</b>		<b>\$ 7,475,000.00</b>

### III. PROGRAM OUTCOMES TO DATE

This section provides a high-level summary of key outcomes for direct legal representation cases and capacity building efforts. For a detailed summary of LAJF direct representation cases please refer to **Vera’s Y2Q3 LAJF Quarterly Report (Attachment A)**

## A. Direct Representation

The LAJF is supporting 11 nonprofit legal services providers for direct representation services representing \$5,505,000 of LAJF funds. The table below provides an overview of funding breakdown by funding source. The financial section of this report includes additional details on financial breakdown of LAJF funding.

Fund	Amount Allocated for Direct Representation
City of Los Angeles	\$1,718,400
County of Los Angeles	\$2,405,000
Philanthropy	\$1,381,600
<b>Total</b>	<b>\$5,505,000</b>

- As of September 30, 2019, **517 cases have been accepted for direct representation** by the 11 LAJF legal services providers, and **1,606 individuals have been screened** (includes legal consultation and referrals).
- Most clients, **82 percent (or 426 people) experienced at least one, but usually multiple, vulnerabilities** such as asylum seeker, crime victims among others noted in Vera's report (Attachment A).
- From the 145 clients initially detained, 37 have been released from custody.
- **55 percent of the 517 clients have lived in the United States for more than a decade and 25 percent of the 517 clients for over two decades** (the average time in the United States is 14 years).
- LAJF clients are generally young, **over 75 percent are under the age of 40**.
- Of the 517 cases, about half are funded by the City of L.A. and about half by the L.A. County.
- **85 percent of cases remain pending (438)**, 63 cases have been completed and 16 cases have been closed due to attorney withdrawal.
- **48 percent, of the 63 completed cases, have resulted in successful outcomes** allowing clients to remain in the United States, compared to less than 5 percent nationwide of their unrepresented counterparts.

## B. Capacity Building – Building a Removal Defense Pipeline

In addition to direct representation services, the LAJF is supporting capacity building efforts that are helping build/strengthen a removal defense pipeline that is supporting the legal infrastructure, building efficiencies for the field, supporting field coordination and general efforts to augment the current removal defense capacity and legal services infrastructure in L.A. County. As such, funding under this category supports a series of nonprofit organization providing a range of services from technical assistance, training, pro-bono support and coordination, psychological-medical evaluations among other critical areas of support.



The table below provides an overview of funding breakdown by funding source. The financial section of this report includes additional details on financial breakdown of LAJF funding.

Fund	Amount Allocated for Capacity Building
Philanthropy	\$1,320,000
<b>Total</b>	<b>\$1,320,000</b>

- To date, **LAJF grantees have hired a total of 43 staff members** (29 attorneys and 14 non-attorney staff) working under the LAJF.
- **Immigrant Defenders Law Center (ImmDef)**, has **made fully operational a shared workspace near Adelanto**, just 3 miles from the Adelanto Detention Facility, that allows for LAJF attorneys to make effective use of time between hearings for meetings. The office is equipped with internet, printers, office supplies, snacks, water, meeting space and bathroom facilities. The satellite office has been an incredibly helpful resource to LAJF grantees allowing attorneys to have working space during detention center visits with clients and helping to build relationships with other attorneys.
- **Catholic Legal Immigration Network, Inc. (CLINIC)**, has **created a “Removal Defense Toolkit”** for LAJF grantees, which includes resources, trainings, samples, and other materials to help new attorneys orient themselves with the initial stages of removal cases. Also meant to help more experienced attorneys with references, samples, etc.
- **Program for Torture Victims (PTV)**, is partnering with LAJF grantees to **provide medical and psychological forensic reports as well as expert witness testimony** in L.A. Immigration Court or Board of Immigration Appeals (BIA). Below is a summary of accomplishments to date.
  - **53 psychological evaluations** completed to date
  - **4 medical evaluations and forensic reports** completed to date
  - Conducted two “Effects of Trauma on Immigrants” workshops for LAJF Attorneys
  - **4 trainings** completed to date, including a Vicarious Trauma workshop
  - Hosted a forum for LAJF attorneys and other asylum attorneys to discuss assessment procedures and managing challenging cases.
- **Removal Defense Corps (RDC) Outcomes: A collaborative project between Southwestern Immigration Law Clinic (SWLC) & Loyola Immigrant Justice Clinic (LIJC):**
  - **RDC Docket Screening Project:** The project consisted of a group of over **40 law student volunteers** from Loyola and USC law schools who are observing the master calendar docket at 300 North Los Angeles Street to identify potential clients for LAJF representation. **218 individuals** were identified in need of representation (this number includes non-eligible individuals to be represented under the LAJF).
  - **Pro Bono Coordination:** Launched a pro bono project to recruit volunteer attorneys to take LAJF cases. To date **157 pro bono attorneys have been recruited and/or trained to take on pro bono cases. To date, 41 cases have been placed for representation under pro bono attorneys** (these cases are not included in the total number of cases represented under the LAJF).

- **Both LIJC and SWLC have created new courses focused on removal defense lawyering** where students learn topics such as trauma-informed lawyering, the practices of appearances in immigration court, and drafting declarations. To date, **9 students** were placed in externships with **7 of the LAJF legal service providers** during the lapse of the course.
- **RDC Resource Bank:** The RDC Resource Bank, available at <https://rdc.lls.edu>, is an online platform that hosts materials for use by LAJF partner organizations and staff attorneys, pro bono attorneys, and legal volunteers. It contains links to trainings, samples materials and practice guides. The site now has over **259 registered users**.
- **Immigration Judge Spreadsheet:** The Immigration Judge Spreadsheet or judicial database allows for attorneys to submit their experiences with local immigration judges into a searchable spreadsheet. Attorneys can input the following information: court location, type and date of hearing, judge name, trial attorney (TA) name, form of relief, and comments on judicial preferences or experiences with a particular TA. This information is helpful as attorneys prepare for hearings and implement optimal legal strategy.
- **LAJF grantee, OneJustice, outcomes:**
  - **California Pro Bono Matters – in collaboration with Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles (Esperanza):** Launched a platform expanding pro bono legal services to immigrants facing deportation in Los Angeles. The platform displays immigration pro bono opportunities in Los Angeles on an interactive website and enables attorneys to search and share available pro bono cases that suit their interests with just a few clicks.
  - **In-person training workshops for LAJF grantees - August 2018 – September 30, 2019** Created a training module of cultural competency trainings to ensure effective and empowering legal representation of immigrant communities who have experienced immense trauma.
  - **OneJustice’s Immigration Pro Bono Network:** Website, Twitter, and monthly newsletter aimed to connect students and volunteers to LAJF and other partner organizations' training and volunteer opportunities, as well as provide policy updates and calls-to-action including Immigration Pro Bono Engagement & Appreciation Events.
  - **Pro Bono Training Institute:** Online platform with free training modules for pro bonos.

Please see *Attachment B* for a full list of trainings offered to date by LAJF grantees, this document is titled “*LAJF: Capacity Building Trainings for Grantees, Y2Q3.*”

#### IV. CHALLENGES TO REPRESENTATION

As stated in previous reports, as a result of the tumultuous policy landscape, legal services providers have reported ongoing challenges that have resulted in delays in representation that are negatively impacting cases and ability for grantees to maximize resources. CLINIC put together a list of immigration policy changes between 2018 and 2019 that have affected legal representation in LA County, see *Attachment D: Policy Changes Affecting Legal Representation in LA County* for a complete list. In addition, grantees and Vera report the following challenges from the field:

- Increased backlog in immigration courts causing delays for hearings as late as 2021.
- Increased issues with access to counsel at local detention facilities for non-attorney staff such as translators, case managers, and mental health evaluators.

- Increased hurdles to screen detained individuals through the Legal Orientation Program (LOP), this has required a higher investment in resources for grantees and limited their availability to provide representation to qualified individuals given the advanced stage of their cases once able to reach them.
- Increased wait-time for attorney access to visit individuals at the local detention facilities.
- Increased need for case management and coordination, given the complexity of cases, to connect clients with critical resources.
- Difficulty in obtaining physical documentation from detainees for proof of eligibility based on residency and/or criminal eligibility requirements.
- Difficulty in finding qualified attorneys with removal defense expertise, for a number of grantees, during the implementation of the project.
- No funds available for bonds; six clients who have been granted a bond are still detained, likely because they cannot afford to play the bond.

Another growing concern among LAJF direct legal services providers is the sustainability of the LAJF program. With **85% of LAJF cases that remain open**, direct legal services providers are concerned about sustainability of the infrastructure built to date and staff retention to be able to continue with representation of open cases.

## V. GRANTEE CONVENINGS

CCF convenes LAJF grantees bi-monthly to identify best practices, systemic barriers hindering effectiveness of services, and to identify methods for improving quality and efficiency of legal representation. The following is a table of convening dates and topics covered:

Meeting Date	Topics Covered
December 4, 2017	Meeting introduction to LAJF, overview of program, timeline and reporting.
January 22, 2018	CCF provided a deeper review of LAJF reporting guidelines, LAJF requirements and training by Vera on LAJF database for submission of monthly data.
April 18, 2018	Meeting included grantee updates, federal immigration policy updates, review of grantee training needs and capacity building resource needs.
May 9, 2018	CCF met with capacity building grantees (CLINIC, SWLC, LIJC, OneJustice, PTV, ImmDef) supporting LAJF legal service providers to coordinate capacity building legal resources, technical support and training for grantees.
June 14, 2018	LAJF grantee meeting to review capacity building tools, trends and best practices.
July 20, 2018	Meeting with L.A. County Office of Immigrant Affairs, County Counsel and LAJF grantees to discuss L.A. County Family Separation amendments to LAJF.
August 15, 2018	CCF presented updated LAJF reporting guidelines per City of L.A. and L.A. County's family separation amendments, a presentation and training by L.A. County Public Defender Office, LAJF Capacity Building updates and a presentation by the NFF regarding a new financial management and technical support capacity building program for grantees.
October 17, 2018	CCF presented LAJF program highlights and progress. The meeting included an update from the L.A. County Office of Immigrant Affairs regarding the exploration of a County-cross referral system with LAJF grantees/providers and capacity building/training updates from grantees.
December 18, 2018	Meeting with L.A. County Office of Immigrant Affairs and LAJF grantees to discuss L.A. County agency immigration legal services experiences and needs and begin

	exploring opportunities for collaboration and coordination of a referral system between Public Defenders, Alternate Public Defenders Office and LAJF direct legal services providers.
<b>December 19, 2018</b>	LAJF grantee meeting. Key agenda topics included: LAJF Q3 Report Highlights, LAJF technical assistance needs, field trends and best practices. NFF presentation and discussion to deepen understanding of actual costs of LAJF legal services and general grantee updates/collaboration.
<b>January 25, 2019</b>	Meeting between LAJF grantees and L.A. County Public Defenders Office, Alternate Public Defenders Office and L.A. County Office of Immigrant Affairs to explore opportunities for collaboration and coordination of referrals.
<b>March 14, 2019</b>	LAJF grantee meeting. The meeting included a presentation from the NFF's financial assessment of immigration legal services.
<b>April 17, 2019</b>	LAJF grantee meeting. An update was provided on the LAJF year-one, evaluation report, as well as updates on the work of the capacity building organizations under this program. In addition, the groups shared their needs to continue their work to continue representing open cases after the end of the agreement.
<b>May 14, 2019</b>	LAJF grantee meeting. Key items included updates on immigration policy landscape and programmatic updates.
<b>June 19, 2019</b>	LAJF grantee meeting. NFF provided and update on their ongoing assessment of the LAJF. CCF together with Vera reviewed the program reporting guidelines and discussed meeting frequency. With many LAJF grantee meetings in place, grantees agreed to meet quarterly going forward to allow for coordination of other LAJF related meetings and field coordination.

## VI. FINANCIAL REPORTING UPDATES

LAJF partners contributed a total of \$7,900,000 to the fund. This includes \$3 million from L.A. County, \$2 million from the City of LA, \$1,125,000 from Weingart Foundation and \$1,775,000 million from the CCF. Below is a high-level overview of funding breakdown (please see *Attachment D* for a detailed overview of financial breakdown per LAJF grantee and strategy):

### Table: LAJF Funding Allocation

Of total amount raised, a total of **\$7,475,000** has been allocated in grant support. This includes \$7,425,000 via direct grants and \$50,000<sup>2</sup> that includes CCF administration fees.

Funding Source	Direct Representation Allocation	Capacity Building Allocation	Vera (LAJF Data Collection & Evaluation)	CCF Admin Fee*	TOTAL
City of Los Angeles	\$1,718,400	\$0	\$166,600	\$20,000	\$1,905,000
County of Los Angeles	\$2,405,000	\$0	\$250,000	\$30,000	\$2,685,000
Philanthropy	\$1,381,600	\$1,320,000	\$183,400	\$0	\$2,865,000
<b>TOTAL</b>	<b>\$5,505,000</b>	<b>\$1,320,000</b>	<b>\$600,000</b>	<b>\$50,000</b>	<b>\$7,475,000</b>

<sup>2</sup> The administrative fee is not representative of the actual cost of administering the project. The fee is based on an agreement between CCF and City of Los Angeles and County of Los Angeles to allocate 1% of their respective contributed funds to cover a portion of the administrative costs.

**Table: LAJF Fund Balance**

The LAJF currently has a fund balance of **\$425,000**. CCF will work with LAJF partners to assess ongoing need in order to re-grant resources by end of current grant term to support ongoing-open LAJF cases.

Funder	Total Grant	Remaining Balance
City of Los Angeles	\$2,000,000	\$95,000
County of Los Angeles	\$3,000,000	\$315,000
Philanthropy	\$2,900,000	\$15,000
<b>Total</b>	<b>\$7,900,000</b>	<b>\$425,000</b>

**Table: LAJF Direct Representation Grants and Expenses to Date (per grantee):**

Below is an overview of total direct representation grants awarded and expenses to date. **As of September 30**, per the financial data collected, direct representation grantees have spent **81% of funds**.

Organization	Grant	Expenses to Date
<b>Direct Representation (\$5,505,000.00)</b>		
1. Asian Americans Advancing Justice – Los Angeles (AAAJ-LA)	\$ 575,000.00	\$ 457,171.00
2. Bet Tzedek Legal Services	\$ 325,000.00	\$ 320,832.00
3. Central American Resource Center (CARECEN)	\$ 575,000.00	\$ 181,471.00
4. Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	\$ 575,000.00	\$ 575,000.00
5. Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles (Esperanza)	\$ 575,000.00	\$ 551,191.00
6. Immigrant Defenders Law Center (ImmDef)	\$ 775,000.00	\$ 677,041.00
7. Kids in Need of Defense (KIND)	\$ 200,000.00	\$ 165,706.54
8. Los Angeles LGBT Center	\$ 325,000.00	\$ 285,293.38
9. Legal Aid Foundation of Los Angeles (LAFLA)	\$ 575,000.00	\$ 374,208.68
10. Program for Torture Victims (PTV) <sup>3</sup>	\$ 125,000.00	\$ 122,916.00
11. Public Counsel Law Center	\$ 700,000.00	\$ 558,494.41
12. USC Gould School of Law, Immigration Clinic	\$ 180,000.00	\$ 170,848.00
<b>SUBTOTAL</b>	<b>\$ 5,505,000.00</b>	<b>\$ 4,440,173.01</b>

**VII. CONCLUSION**

CCF is pleased to report that the LAJF program has surpassed its goal of providing access to direct removal defense representation to 500 individuals before the end of the two-year pilot phase (November 19, 2019) and it is currently at 517 represented individuals.

With the LAJF grant funding sunseting and with 85% of cases that remain active, looking at the long-term sustainability of the LAJF will be critical to maintain the program's infrastructure and ensure that existing/active cases continue with representation.

CCF looks forward to continue working with LAJF funders to take the learnings from the pilot-phase, assess the program's funding needs beyond the current grant term, and explore new funding models and structure to strengthen and increase the program's efficiency and efficacy and be able to maximize the program's impact.

<sup>3</sup> LAJF grant to Program for Torture Victims includes funding from City of L.A. and philanthropic dollars. This chart includes breakdown of dollars spent per category (direct representation and capacity building).

VIII. Attachment A (17 pages)

November 11, 2019

---

# LA Justice Fund: Quarterly Report

Report of Legal Service Provider Activities through September 2019

---

*Compiled by the Vera Institute of Justice for the California Community Foundation*

This report summarizes immigration legal cases represented by the Los Angeles Justice Fund (LAJF) during the first seven quarters of the program's launch and ramp up (four quarters from Year 1 plus the first three quarters from Year 2), from November 27, 2017 through September 30, 2019.

### Notes about the Scope of Data in this Report

- There is a lag between the end of data collection for a given quarter and the reporting such that the actual number of cases as of today will almost always be greater than the number reported in each quarterly report.
- The California Community Foundation (CCF) initially contracted the Vera Institute of Justice (Vera) to report on and eventually conduct research on the impact of representation for detained adult cases. As the scope of LAJF expanded substantially beyond detained adult cases, Vera agreed to collect and report quarterly on all adult representation cases through the customized database Vera designed for this program. This includes cases represented by Asian Americans Advancing Justice, L.A. (AAAJ-LA), Central American Resource Center (CARECEN), Coalition for Humane Immigrant Rights (CHIRLA), Esperanza Immigrant Rights Project (Esperanza), Immigrant Defenders Law Center (ImmDef), Los Angeles LGBT Center, Public Counsel, and the University of Southern California, School of Law Immigration Clinic (USC) (appellate only cases). CCF, Vera, and grantees negotiated that Vera would also report for CCF on both affirmative cases (represented by the Legal Aid Foundation of Los Angeles, or LAFLA) and children's cases (represented by Kids in Need of Defense, or KIND, and Bet Tzedek), but would do so outside of the database and thus, in a less complete form than for other cases. Some of the data in this report includes LAFLA, KIND, and Bet Tzedek cases, and some does not. Finally, Vera is not reporting for CCF on other work funded through LAJF beyond representation for the legal case. For example, technical assistance activities are beyond the scope of this report.
- A few organizations retroactively added cases to the database, meaning cases they took on for representation in previous quarters were added to the database at a later date. This means that the number of new cases taken on each quarter as reflected in the database today differs from the number of new cases per quarter listed in previous quarterly reports.
- Narrative data that may supplement the statistics contained here is separately collected and reviewed by CCF.

## Overview of LAJF Cases through September 30, 2019

**Total Cases Accepted: 517 (about half funded by City and about half by County)**

### Case Activity

- Organizations providing direct representation: 11
- Total clients in removal proceedings: 354<sup>1</sup>
- Total adults initially detained: 156
  - Total initially detained but later released on bond: 37
- Total affirmative cases (not in removal proceedings): 44
- Total children's cases: 93
- Total immigration case decisions / completions: 63
  - Portion of completed cases with successful outcomes allowing clients to remain in United States: 48%
  - Portion of unrepresented completed cases nationwide with successful outcomes: less than 5%
- Total cases with appeals: 36

### Client Demographics

- Average time in the United States: 14 years
  - Portion of clients in the United States for more than a decade: 55%
- Total number of countries that clients originated from: 32
  - Top five countries of origin: Guatemala, El Salvador, Mexico, Honduras, and Cambodia
- Portion of clients with an identified vulnerability: 82%

---

<sup>1</sup> Most people categorized as being in removal proceedings are adults, but 62 cases in removal proceedings are children under the age of 18. These 62 children, however, are not categorized as "children's cases" because "children's cases" refers to the case type designated by attorneys in the database, not to the actual ages of clients. See Figure 7 in this report for clients' ages.



## LAJF Cases: Overview

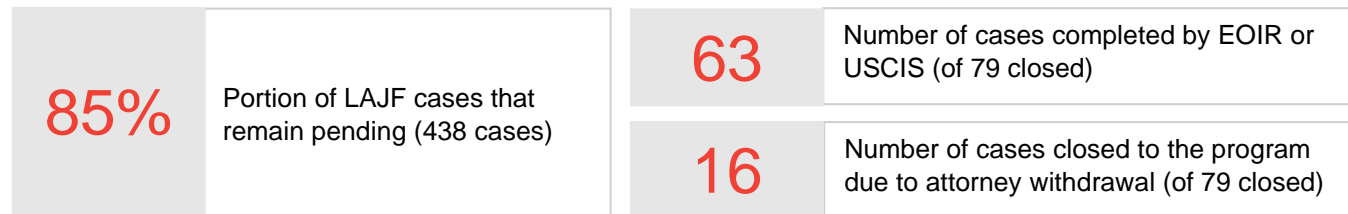
By the end of the third quarter of Year 2 (Y2Q3), ending on September 30, 2019, LAJF had accepted a total of 517 clients for representation. Figure 1 displays the initial custody status and the removal risk that triggered program eligibility.

Figure 1: Initial Case Type and Custody (517 Total Cases)

Case Custody	240 Proceedings	Affirmative	Children's Cases	Withholding Only	Other Case Type	Total
Detained	139 (27%)	13 (3%)		2 (0%)	2 (0%)	156 (30%)
Non-Detained	215 (42%)	31 (6%)	93 (18%)	2 (0%)	20 (4%)	361 (70%)
Total	354 (68%)	44 (9%)	93 (18%)	4 (1%)	22 (4%)	517 (100%)

Children's cases, as presented in Figure 1, include those classified in the database as childhood arrival cases, unaccompanied children's (UC) cases, and UC mentorship.<sup>2</sup> The "other case type" category includes one credible fear review/reasonable fear review (CFR/RFR) case and 21 cases classified as "other" in Vera's database by legal service providers. Next, Figure 2 summarizes case status and outcomes.

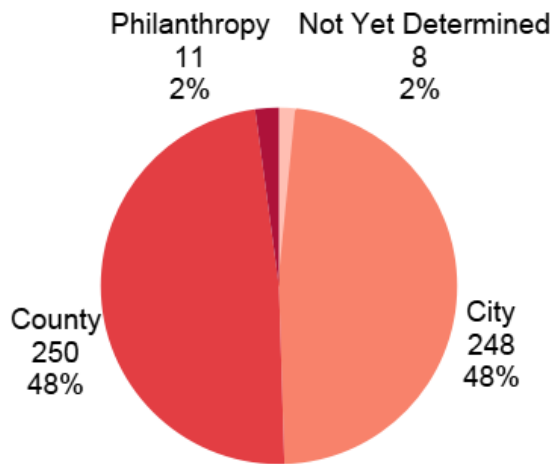
Figure 2: Case Status and Outcomes



Most LAJF cases remain pending as of the report date. Among the 63 completed cases, 27 clients received grants of relief, 19 received orders of removal, three received grants of voluntary departure (which requires clients to leave the country but with fewer penalties than a removal order), and three had their cases terminated (which closes the case but does not result in a change in the client's immigration status). Case outcome information is missing for 11 cases and will be updated as it becomes available to Vera. This means that 30 of 63 cases (27 grants of relief plus the three case terminations), or 48 percent, had successful outcomes that allow clients to remain in the United States. This is compared to less than five percent of unrepresented cases with successful outcomes nationwide.

<sup>2</sup> Not all children, under the age of 18, are classified as UC, UC mentorship, or childhood arrivals cases. Ten children are in affirmative cases, 62 are in 240 removal proceedings, and three are classified as "other" case types. See Figure 7 in this report for clients' ages. Additionally, among the 93 children's cases, some are likely in 240 removal proceedings, meaning there are likely more than 68 percent of all cases in 240 removal proceedings. For example, some people classified as childhood arrivals in the database might also be in 240 removal proceedings, but since their attorney designated them as a children's case, they appear in that column.

Figure 3: Funding Sources

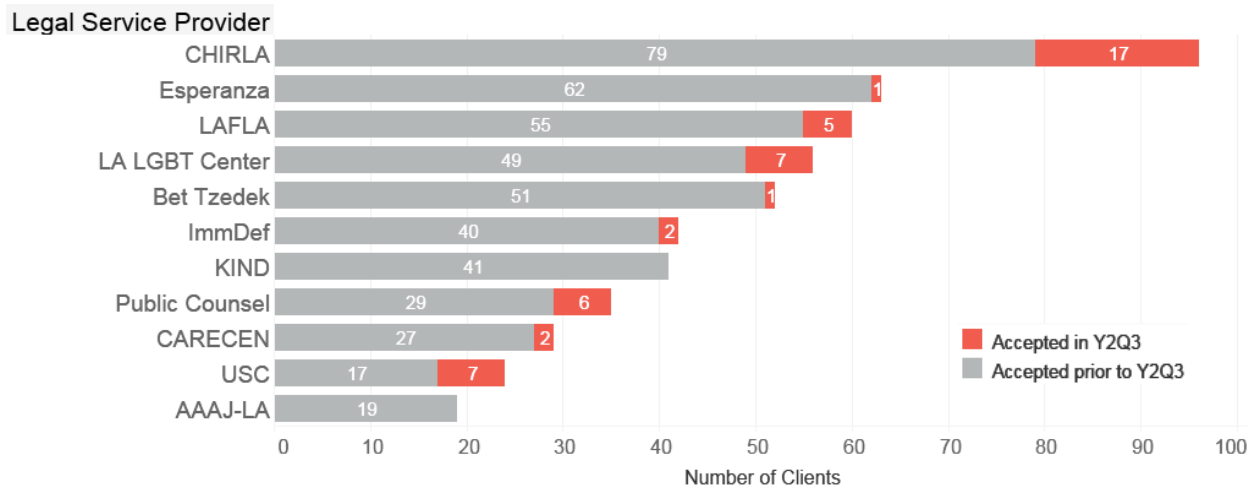


**Twelve City-funded cases required waivers.**

Figure 3 shows the distribution of funding sources across accepted cases, including City, County, and philanthropic funding. Forty-eight percent of LAJF cases (248 cases) are funded by the City of Los Angeles, and 48 percent (250 cases) are funded by Los Angeles County. Eleven cases (two percent) are funded by philanthropy, while funding is not yet determined for eight cases (two percent).

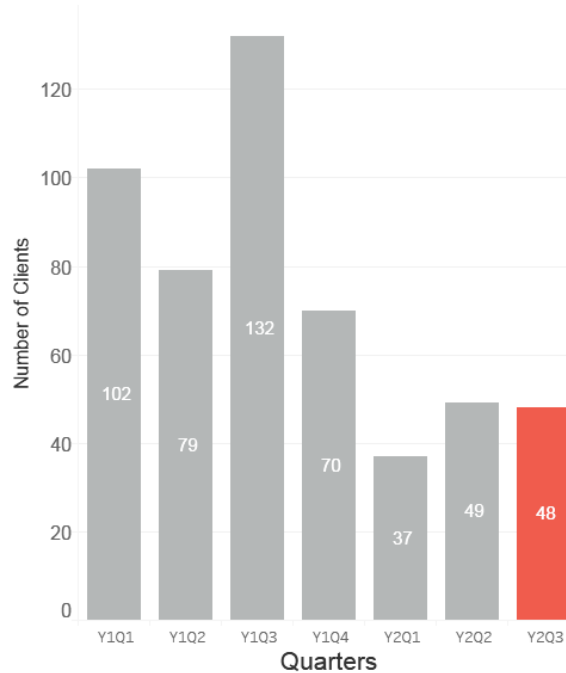
Figure 4 displays the number of cases each legal service provider has accepted for representation, and Figure 5 shows the number of new cases taken on each quarter across the entire program.<sup>3</sup> New cases accepted in the most recent quarter (Y2Q3) appear in red in both figures. Across all legal service providers, a total of 48 new cases were accepted in Y2Q3. As the program has evolved, many organizations have reached their active caseload capacity and/or may be cautious about taking on more cases than they can sustain without knowing if funding will continue beyond November 2019.

Figure 4: Number of Cases by Legal Service Provider



<sup>3</sup> The new case counts per quarter as shown in Figure 5 do not match the numbers listed in previous quarterly reports because some grantees have retroactively added cases, meaning they took on cases for representation in previous quarters, but did not add some of those cases to the database until recently.

Figure 5: New Cases per Quarter



### Client Demographics

This section provides information on LAJF client demographics, including how long clients have lived in the United States, their ages, genders, countries of origin, primary languages, and the types of vulnerabilities identified among clients. Figure 6 below displays the distribution of LAJF clients aged 18 and over, by how long they have lived in the United States (excluding children’s cases). As Figure 6 shows, 60 percent of adult clients have lived in the United States more than five years, and 55 percent have lived here more than 10 years.<sup>4</sup>

<sup>4</sup> The percentages displayed in Figure 6 indicate that 54 percent of clients have lived in the United States more than 10 years, rather than 55 percent as mentioned in the text and in the text box next to Figure 6 (11 + 18 + 25 = 54 percent). However, the percentages displayed in Figure 6 are rounded, and therefore do not add up perfectly to 55 due to rounding. Nonetheless, the true percent of those who have been in the United States for more than 10 years is 54.5 percent, or 55 percent when numbers are rounded.

Figure 6: Time in the United States

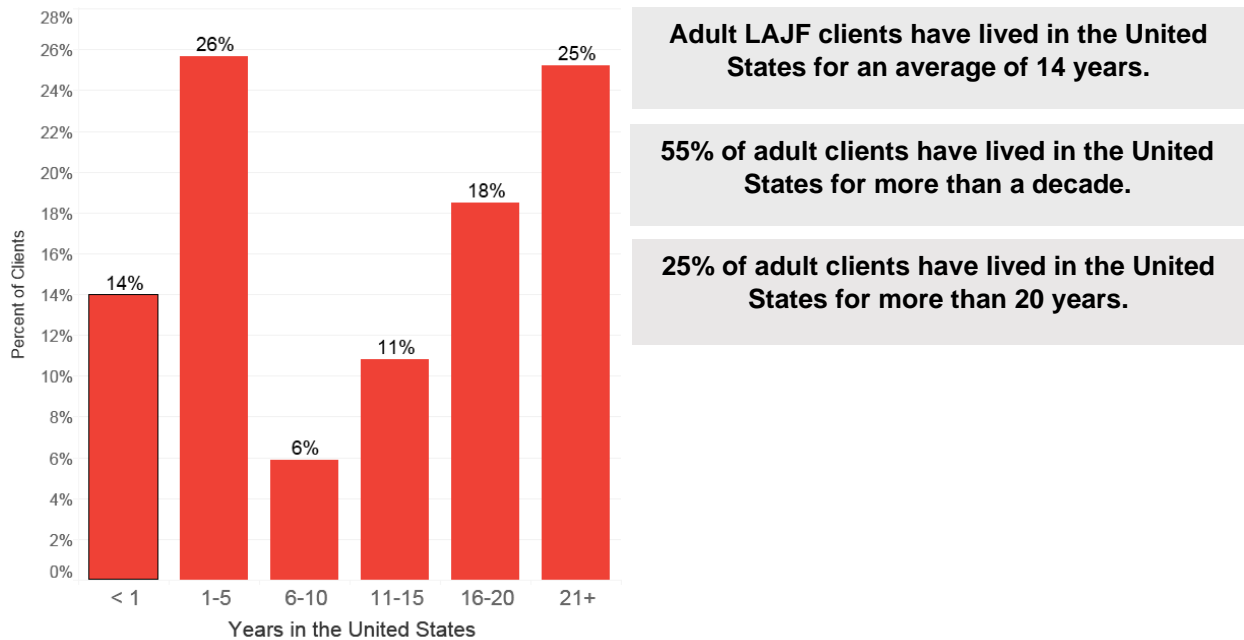


Figure 7 displays the distribution of clients by their ages and depicts the gender composition within each age group. Fifty-six percent of LAJF clients self-identify as male, 39 percent as female, and five percent express a gender identity other than male or female.<sup>5</sup> Figure 7 shows that LAJF clients are generally young, with the vast majority being under the age of 40. Twenty-four percent of clients (122 people) are under the age of 18. Finally, the group most likely to express a non-binary gender identity are 22- to 29-year olds, among whom 17 percent identify as non-binary genders.

<sup>5</sup> Age and gender information is missing for one client.

Figure 7: Age and Gender

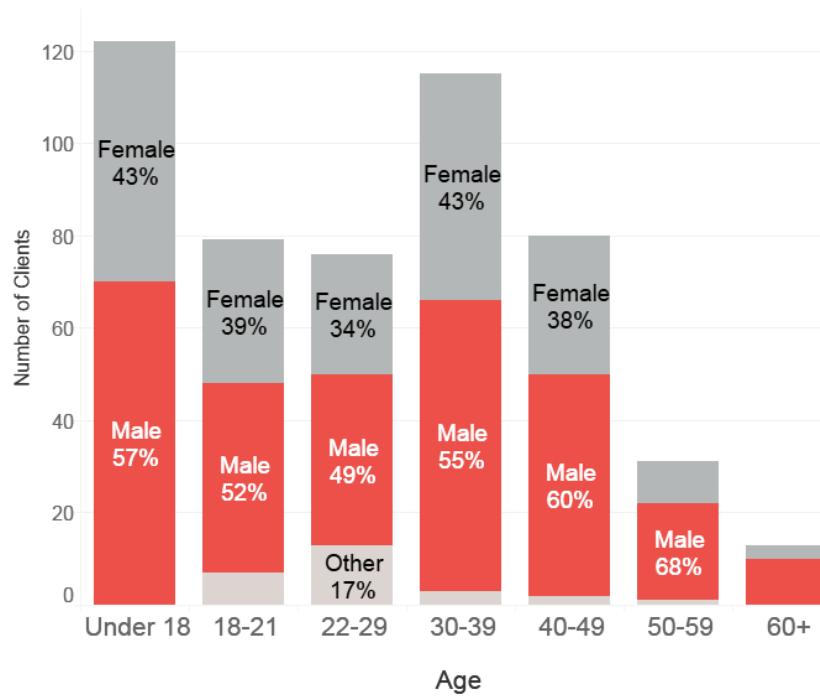


Figure 8 summarizes the primary languages spoken by LAJF clients, highlighting the three most common languages.

Figure 8: Language

**Of the 19 primary languages spoken by LAJF clients, the most common are: Spanish (82%), English (12%), and the Guatemalan indigenous language K'iche' (2%).**

Figure 9 is a heat map showing clients' countries of origin. The darker shades indicate the regions with the highest numbers of LAJF clients.

Figure 9: Country of Origin

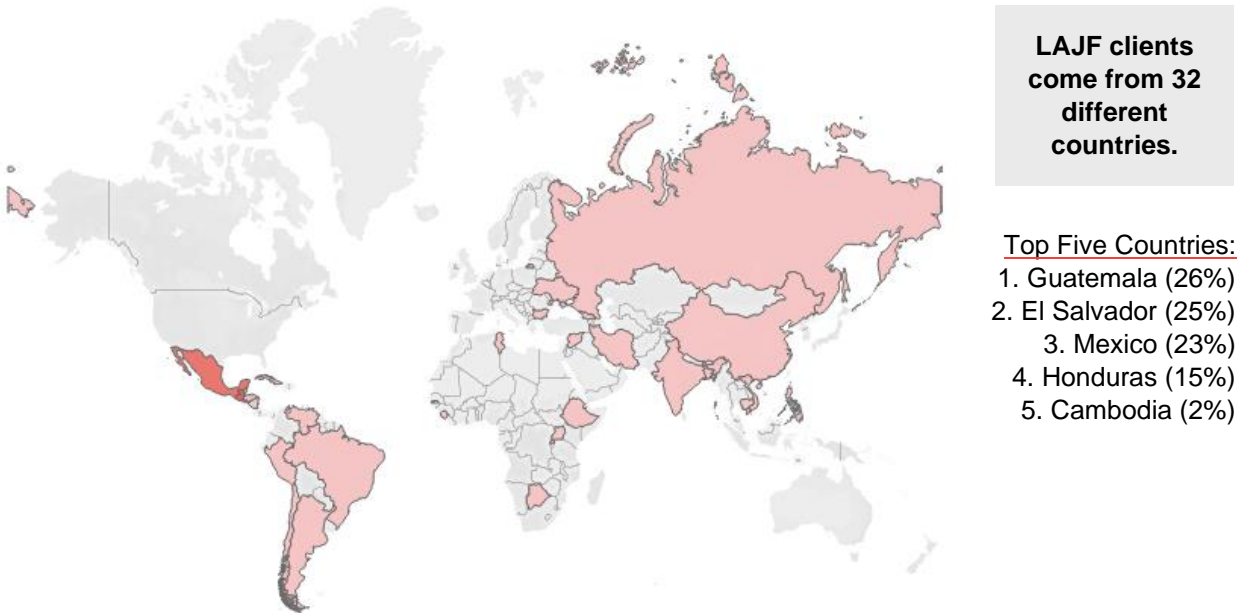


Figure 10 lists the types of vulnerabilities identified among LAJF clients, and the number of people who experienced each type. The majority of clients, 82 percent (426 people), experienced at least one vulnerability (1,072 total vulnerabilities among 426 people).

Figure 10: Identified Client Vulnerabilities

Vulnerabilities Identified	Count
Asylum seeker / fear-based protections	379
Victimization – crime, domestic / intimate partner violence, child abuse / neglect, or trafficking	239
Disability / significant medical needs, mental health needs	146
Current / former UC	97
Childhood arrival (not UC)	60
Homeless	40
Has dependent(s) with disability / significant medical needs	24
Other	87
<b>Total vulnerabilities identified</b>	<b>1,072</b>
<b>Total clients with a vulnerability identified</b>	<b>426 of 517 clients</b>

## Case Activities

This section details the activities attorneys have engaged in on behalf of their clients. First, Figure 11 shows the bond and custody status for LAJF clients who were initially detained (excluding 11 cases where the attorney withdrew). Figure 11 shows that, among the 145 clients initially detained, 37 have been released from custody (26 percent) (this is the total of all clients who have been “released”). Five clients who have been granted EOIR bond and one client with a bond set by ICE remain detained, likely because they are unable to afford the bond that was set.

Figure 11: Bond and Custody for Initially Detained Adult Cases

Bond Status	Custody Status	Count
Granted EOIR bond	Released	28
	Not released	5
Set by ICE, not lowered by EOIR	Released	3
	Not released	1
No ICE bond, not lowered by EOIR <sup>6</sup>	Released	3
	Not released	99
Parole granted	Released	3
	Not released	3
<b>Total initially detained clients, excluding cases where the attorney withdrew</b>		<b>145</b>

Next, Figures 12 and 13 summarize the types and number (in parentheses) of applications and motions, respectively, filed by attorneys on behalf of their clients. The figures focus on the five most commonly filed applications and motions. Overall, 419 motions and applications have been filed on behalf of 300 clients (58 percent of all clients).

Figure 12: Applications Filed

Applications
1. Asylum / withholding / CAT (153)
2. State court petition / request for SIJS findings (62)
3. Employment authorization (31)
4. U Visa (28)
5. LPR cancelation (20)
<b>Total applications filed: 338</b>

<sup>6</sup> Cases can be released due to closure in immigration court, despite lack of bond options

Figure 13: Motions Filed

<b>Motions</b>
1. Motion to terminate (27)
2. Motion to change venue (16)
3. Motion to reopen (7)
4. Motion for Substitution of Counsel (5) <sup>7</sup>
5. Bond-related motions (4)
<b>Total motions filed: 77</b>

Figure 14 displays information on case appeals, and shows that LAJF grantees have aided 36 clients (7%) with case appeals, including for bond, to the Board of Immigration Appeals (BIA), and to the federal circuit courts.<sup>8</sup>

Figure 14: Case Appeals

<b>Clients and Appeals</b>	<b>New Cases in Y2Q3</b>	<b>Total Cases</b>
Total clients	48	517
Cases with appeals	2	36
Clients with bond appeal	0	4
Clients with BIA case appeals	2	25
Clients with circuit court appeals	0	12
Clients with unspecified appeals	0	0

### Hourly Activity for County-Funded Cases

Los Angeles County requires grantees to log the hours attorneys spent on certain activities for County-funded cases. The four required codes, with an optional fifth code (other case activity), include:

- 1 – Initial case assessment, development, administration, fact gathering
- 2 – Court preparation<sup>9</sup>
- 3 – Court attendance
- 4 – Case evaluation, client advice, advocacy
- 5 – Other case activity

<sup>7</sup> One of the motions for substitution of counsel is an instance where the attorney withdrew to allow access to *Franco* Class.

<sup>8</sup> Some grantees have retroactively added cases to the database, meaning they took on cases for representation in previous quarters, but did not add some of those cases to the database until recently. For this reason, there are more cases with appeals in Figure 14 than reported in previous quarters. Additionally, there used to be some unspecified appeals in the database that have since been re-categorized.

<sup>9</sup> For affirmative cases, code numbers 2 and 3 reflect USCIS state court preparation and USCIS interviews, respectively.



Figure 15 shows the number of hours (in black font) and percent of time (in red font), by case type, attorneys spend on each activity code for County-funded cases, where the database contains hourly information for 169 out of the 250 County-funded cases (45 of these cases are closed).<sup>10</sup> The figure shows that, among all case types, most hours are spent on case evaluation, client advice, and advocacy (code 4), followed by court preparation (code 2), and initial case activities (code 1). It is notable that, among all cases, attorneys spend 10 percent of time on activity code number 5, because the County does not fund activities falling under this optional code. Moreover, grantees have noted that, although these codes cover many case activities, they do not cover the full scope of effort it takes to represent a client (not even with the inclusion of activity code 5, which does not cover activities that are not explicitly related to a specific case, like attending legal workshops and trainings, among other necessary activities). Thus, Figure 15 underreports the amount of time it truly takes to represent a client.

Figure 15: Hours per Activity Code, Case Type (169 Cases)

	Activity Codes					All Codes
	1	2	3	4	5	
240 proceedings	2,686	3,697	688	4,144	1,270	12,485
Percent of time	22%	30%	6%	33%	10%	100%
Affirmative cases	1	135	18	426	104	683
Percent of time	0%	20%	3%	62%	15%	100%
Children's cases (UC, UC mentorship, childhood arrival)	78	98	40	72	0	288
Percent of time	27%	34%	14%	25%	0%	100%
Withholding-only and other cases	81	495	25	118	26	745
Percent of time	11%	66%	3%	16%	3%	100%
All case types, total hours	2,846	4,425	770	4,760	1,399	14,200
Percent of time	20%	31%	5%	34%	10%	100%

## Descriptive Statistics for City-Funded Cases

After the first reporting period (at the end of the first quarter in Year 1), the City expressed an interest in viewing a detailed breakdown of City-funded cases. While some of the details the City would like are beyond the scope of the data collection agreed upon by stakeholders, and others cannot be reported for confidentiality reasons, as more cases were taken on, Vera is now providing more comprehensive breakdowns by providers and case types. First, information about cases with waivers is summarized, followed by a summary of information pertaining to all City-funded cases.

<sup>10</sup> Row and column totals may not always perfectly add up due to rounding. For example, in the row that gives hourly totals for affirmative cases,  $1 + 135 + 18 + 426 + 104 = 684$  (rather than 683 as listed in the table). However, the values for each billing code are rounded to whole numbers, but the true row total when the numbers are not rounded to whole numbers is 682.85 (0.5 + 134.75 + etc.), which is rounded to 683 in Figure 15.

### City-Funded Cases with Waivers

Among the 248 City-funded cases, 12 clients required waivers. Details about the 12 clients are summarized below.

- Legal status at intake:
  - Total who entered the United States with authorization: 5
  - Total who entered without authorization: 4
  - Unknown: 3
- Case type:
  - Total in 240 removal proceedings: 7
  - Total childhood arrivals: 2
  - Total classified as “other” case types: 3
- Average number of years spent living in the United States (excluding children’s cases and people under 18 years old): 30
  - Number of clients who have lived in the United States for more than 30 years: 6
- Attorneys have identified 6 distinct vulnerabilities among these 12 clients. The most common vulnerabilities are (with the number of clients identified next to each vulnerability in parentheses):
  - Asylum seeker / fear-based protections (8)
  - Victimization – crime, domestic / intimate partner violence, child abuse / neglect, or trafficking (6)
  - Disability / significant medical needs, mental health needs (3)

### All City-Funded Cases

Figure 16 displays the initial case type and custody status for all City-funded cases.

**Figure 16: Initial Case Type and Custody (248 City-Funded Cases)**

Case Custody	240 Proceedings	Affirmative	Children's Cases	Withholding Only	Other Case Type	Total
Detained	49 (20%)	5 (2%)		1 (0%)	1 (0%)	56 (23%)
Non-Detained	112 (45%)	15 (6%)	52 (21%)	1 (0%)	12 (5%)	192 (77%)
Total	161 (65%)	20 (8%)	52 (21%)	2 (1%)	13 (5%)	248 (100%)

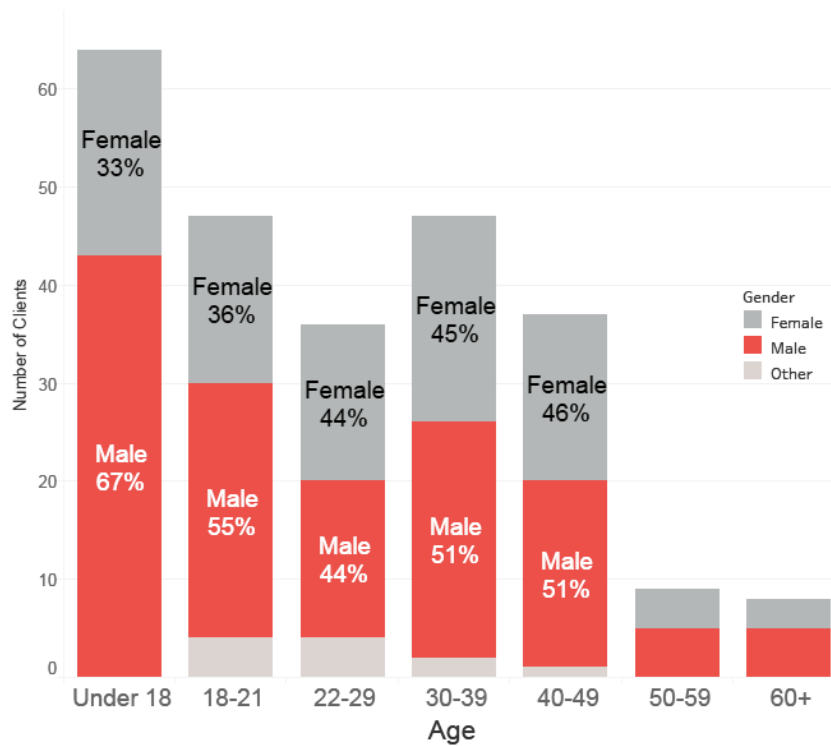
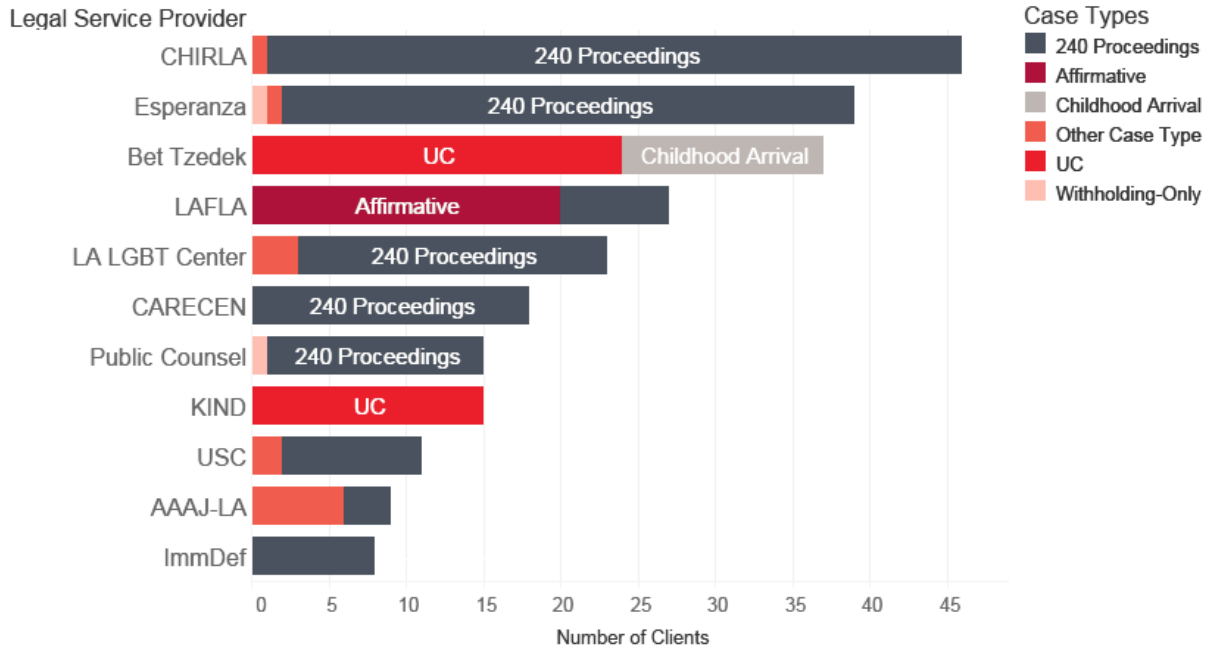
Additional information about the 248 City-funded cases is listed below, and Figure 17 displays descriptive information in a collage.

- Nearly all clients (239/248) come from five countries (the number of clients from each country appear in parentheses):
  - Guatemala (78)
  - El Salvador (69)
  - Mexico (46)
  - Honduras (41)
  - Cambodia (5).
- Nearly one-third (75 clients out of 248) already have relief applications filed on their behalf.
  - Portion of detained clients with relief applications who were released: 58%

Figure 17: City-Funded Cases, Descriptive Statistics

City-funded client demographics

City-Funded Clients	Children Impacted	Avg Years in the U.S.
248	54	14



Note: UC stands for unaccompanied children.

Figure 17 displays the case types for each organization, among other pieces of City-specific information. The numerical breakdown for each case type by legal service provider for City-funded cases, as displayed in Figure 17, is listed below.

- CHIRLA
  - 240 proceedings: 45
  - Other case type: 1
- Esperanza
  - 240 proceedings: 37
  - Other case type: 1
  - Withholding-only: 1
- Bet Tzedek
  - Childhood arrival: 13
  - UC: 24
- LAFLA
  - 240 proceedings: 7
  - Affirmative: 20
- LA LGBT Center
  - 240 proceedings: 20
  - Other case type: 3
- CARECEN
  - 240 proceedings: 18
- Public Counsel
  - 240 proceedings: 14
  - Withholding-only: 1
- KIND
  - UC: 15
- USC
  - 240 proceedings: 9
  - Other case type: 2
- AAAJ-LA
  - 240 proceedings: 3
  - Other case type: 6
- ImmDef
  - 240 proceedings: 8

Finally, Figure 17 also displays City-funded clients ages and genders. Overall, 138 City-funded clients are male (56 percent), 99 are female (40 percent) and 11 people (4 percent) express a gender identity other

than male and female. Additionally, 64 clients are children under the age of 18 (26 percent), and the remaining 184 people (74 percent) are 18 years and older.

## LAJF: List of Capacity Building Trainings for Grantees

## In-Person and Onsite Trainings:

Date	Activity Description	Leading Organization(s)	Notes
8/21/2018	<i>Immigration Consequences of Criminal Convictions and Cancellation of Removal</i>	<i>CLINIC &amp; ImmDef</i>	
10/6/2018	<i>I'm New Here: The Nuts &amp; Bolts of Removal Defense for attorneys newly embarking on their removal defense practice</i>	<i>RDC</i>	Novice Track; four-hour MCLE training; 30 attendees
10/10/2018	<i>Never Say Die: A look at options for post-conviction relief for clients whose crimes limit the immigration remedies available to them</i>	<i>RDC &amp; ImmDef</i>	Expert Track; 40 attendees.
10/19/2018	<i>Credible Fear Interview Preparation, Refugee Intakes, and Working with Asylum Seekers at the Border</i>	<i>RDC</i>	Student training series; 19 attendees.
10/24/2018	<i>Advanced Trial Skills in Removal Proceedings</i>	<i>CLINIC &amp; RDC</i>	Expert Track; 24 attendees.
11/28/2018	<i>Pereira is Dead. Long Live Pereira! Understanding the current case law around Pereira, its limitations, and how you can still use it to mount an aggressive removal defense</i>	<i>RDC</i>	Hot Topics training series; MCLE training; 30 attendees.
12/18/2018	<i>Policy Updates and Trends in LA Immigration Courts</i>	<i>CLINIC</i>	During the LAJF Convening.
1/31/2019	<i>Heart of Matter: Nuts and Bolts of Asylum and Cancellation of Removal</i>	<i>RDC</i>	Novice Track; MCLE training; 20 attendees.
2/5/2019	<i>Defending Former Defendants: Consequences of Criminal Matters on Immigration Cases</i>	<i>RDC</i>	Expert Track; MCLE training; 40 attendees.
3/2/ 2019	<i>Help Me Help You: Interviewing &amp; Declaration</i>	<i>RDC</i>	Novice Track; MCLE training; 10 attendees.
3/16/ 2019	<i>Basic Skills for Working with Clients in Removal Proceedings</i>	<i>CLINIC &amp; RDC</i>	
3/26/2019	<i>Supervision &amp; Mentorship Best Practices in Immigration Legal Services</i>	<i>OneJustice &amp; RDC</i>	Hot Topics training series; 20 attendees.
4/3/2019	<i>Retro Relief. A look at TPS and NACARA</i>	<i>RDC: Southwestern, with assistance from LIJC</i>	Expert Track; MCLE training
4/24/2019	<i>Can I get a Second Opinion?</i>	<i>RDC: LIJC, with support from Southwestern</i>	Hot Topics; MCLE training; 16 attendees.
5/29/2019	<i>Don't Take Denied for an Answer: training on filing appeals with the Board of Immigration Appeals and the 9th Circuit</i>	<i>RDC: LIJC, with support from Southwestern</i>	Expert Track: MCLE training; 32 attendees.
5/31 – 6/1, 2019	<i>Summer Law Student Boot Camp</i>	<i>RDC</i>	Student Training Series; Two-day training (5/31-6/1); 37 attendees

6/6/2019	<i>Trial Skills Training on Direct, Re-Direct, and Cross Examination</i>	<i>CLINIC, with support from ImmDef and Public Counsel</i>	
6/14/2019	<i>Trauma and Client Interviewing</i>	<i>RDC: LIJC, with support from Southwestern</i>	Student Training Series; 30 attendees
6/28/2019	<i>Formulating Effective Declarations</i>	<i>RDC</i>	Student Training Series;
7/12/2019	<i>Common Criminal Issues in Removal Defense</i>	<i>RDC</i>	Student Training Series;
7/26/2019	<i>Adelanto Detention Facility Tour for LAJF Law Student Interns</i>	<i>RDC</i>	Student Training Series;
7/29/2019	<i>Arrest Reports in Immigration Matters: Strategies for Responding to Requests for your Client's Arrest Records</i>	<i>CLINIC</i>	
8/2/2019	<i>Your Law and Order Moment</i>	<i>CLINIC &amp; RDC</i>	Novice Track; MCLE training;
8/8/2019	<i>Representing Asylum Seekers &amp; Formulating PSGs Post Matter of AB- &amp; Matter of L-E-A-</i>	<i>CLINIC &amp; RDC</i>	Hot Topic Track: MCLE training
8/16/2019	<i>Current Issues &amp; Zealous Lawyering in Removal Defense</i>	<i>RDC</i>	Student Training Series;
8/20/2019	<i>Part 2 CLINIC Trial Skills Training – Expert Witness Testimony and Closing Arguments</i>	<i>CLINIC, with support from ImmDef, and Public Counsel</i>	
8/28/2019	<i>So, You're Saying There's No Chance? (Zealous Lawyering in Removal Defense)</i>	<i>RDC, with support from USC Immigration Clinic</i>	Hot Topic Track: MCLE training
9/12/2019	<i>Self-Care &amp; Sustainability for Immigration Attorneys &amp; Advocates Working with Trauma Survivors: Mindfulness</i>	<i>OneJustice</i>	
9/19/2019	<i>Self-Care &amp; Sustainability for Immigration Attorneys &amp; Advocates Working with Trauma Survivors: Yoga</i>	<i>OneJustice</i>	

**Webinars and Internet-Based Trainings:**

<b>Date</b>	<b>Activity Description</b>	<b>Leading Organization(s)</b>	<b>Notes</b>
9/13/2018	<i>Representing Asylum-Seekers in Light of Matter of A-B-</i>	<i>CLINIC</i>	Webinar
9/17 – 11/1, 2018	<i>Comprehensive Overview of Immigration Law</i>	<i>CLINIC</i>	E-learning Course
8/29 – 9/26, 2018	<i>Understanding and Preparing Waivers</i>	<i>CLINIC</i>	E-learning Course
10/17 – 11/7, 2018	<i>Representing Refugees and Asylees in Challenging Times</i>	<i>CLINIC</i>	Webinar Series
10/19/2018	<i>What You Need to Know About Dora v. Sessions, Ms. L v. ICE, and M.M.M. v. Sessions Preliminary Settlement Agreement</i>	<i>CLINIC</i>	Webinar
	<i>Understanding DHS' Proposed Changes to Public Charge Definition, Naturalization</i>	<i>CLINIC</i>	Recorded Webinar



	<i>What All Advocates Need to Know About Removal Orders and Removal Proceedings</i>	<i>CLINIC</i>	Recorded Webinar
1/15 – 2/25, 2019	<i>Comprehensive Overview of Immigration Law</i>	<i>CLINIC</i>	E-learning Course
1/16/2019	<i>Representing Clients in Removal Proceedings in a Time of Rapid Change</i>	<i>CLINIC</i>	Webinar Series
1/28 – 2/25, 2019	<i>USCIS Notice to Appear Guidance</i>	<i>CLINIC</i>	Webinar Series
3/4 – 3/25, 2019	<i>Selected Issues in Inadmissibility</i>	<i>CLINIC</i>	Webinar Series
3/22/2019	<i>Current Issues Impacting TPS and DED Clients</i>	<i>CLINIC</i>	Webinar
	<i>A Pedagogy of Cultural Responsiveness</i>	<i>OneJustice</i>	Online Training Module
	<i>Trauma-Informed Advocacy in Action</i>	<i>OneJustice</i>	Online Training Module
4/26/2019	<i>Petition, Termination, Revocation, and Reinstatement</i>	<i>CLINIC</i>	Webinar
7/29/2019	<i>Arrest Reports in Immigration Matters: Strategies for Responding to Requests for your Client's Arrest Records</i>	<i>CLINIC</i>	Webinar
8/27/2019	<i>Basics of Immigration Litigation in Federal Courts</i>	<i>CLINIC</i>	Webinar

## Policy Changes Affecting Legal Representation in LA County (2018 – 2019)

The current White House administration has made significant changes to U.S. immigration policy. The effects of new regulations and policies include increased deportations and enforcement actions in addition to restrictions on eligibility to asylum and other forms of removal relief. These changes have directly impacted the lives of many noncitizens residing in Los Angeles County by making it more difficult to obtain legal representation, relief from removal, and restrict access to a path towards lawful status. In turn, LAJF grantees have been challenged to keep up with these changes while providing representation to their LA Justice Fund (LAJF) clients.

CLINIC, as national expert in training and capacity building and an LAJF partner, is uniquely positioned to provide LAJF attorneys with the tools they need to stay up to date and effectively represent their clients in Los Angeles County to respond strategically to policy changes. During the LAJF term from May 2018 to present, CLINIC has evaluated and advised on new policies and trends with relevant practice advisories, samples, and new trainings, in addition to timely updates on litigation challenging the administration's immigration policy changes. CLINIC's webinars and e-learning training courses have been made available to LAJF grantees and CLINIC's DVP team has specifically tailored numerous in-person trainings to LAJF grantees in collaboration with other LAJF-funded capacity building and Legal Service Provider (LSP) organizations.

Below is a list of policy changes, grouped thematically. Please see Attachment B for a complete list of trainings made available for LAJF grantees in response to these policy changes.

### I. Procedural Changes in Immigration Court/Removal Proceedings (2018 – 2019):

- **Notice to Appear (NTA) Decisions and USCIS Guidance:**
  - *Pereira v. Sessions*, 138 S. Ct. 2105 (2018): U.S. Supreme Court decision on Notices to Appear and BIA response in *Matter of Bermuda-Cota*, 27 I&N Dec. 441 (BIA 2018) limiting the application of *Pereira* holding to the stop-time rule in cancellation of removal cases.
  - **BIA decision in *Matter of Mendoza-Hernandez & Capula-Cortes***, 27 I&N Dec. 520 (BIA 2019): Majority held that a deficient NTA that does not provide the time and place of the initial immigration court hearing is "perfected" when the immigration court subsequently sends a hearing notice containing the information.
  - **USCIS Memo on NTA Guidance** (June 2018): Expands situations in which USCIS is directed to issue NTAs against individuals applying for immigration benefits placing more people into removal proceedings, further clogging immigration court system.
- **Administrative Closure, Continuances, Immigration Judges' Dockets:** Judges faced with new quotas, pressure to adjudicate cases rapidly, and less independence managing dockets
  - **Attorney General Decision on Administrative Closure in *Matter of Castro-Tum***, 27 I&N Dec. 271 (A.G. 2018): Holding that immigration judges (IJs) may not administratively close cases unless doing so specifically authorized by regulations or settlement agreements.
    - Limits IJ's ability to manage docket by putting a case on hold while waiting for an event outside the control of the parties to occur or to otherwise preserve government resources.
    - Immigration courts respond by establishing "status dockets"

- **Justice Department Issues New Quotas on Immigration Judges** (October 2018): Requiring them to finish 700 cases per year (three per day) or face disciplinary action.
  - Puts judges under pressure to adjudicate cases at a rapid pace.
- **Attorney General Decision Impacting Immigration Judges' Independence/Dockets** in *Matter of S-O-G- & F-D-B-*, 27 I&N Dec. 462, 463 (A.G. 2018)
- **BIA Decision Impacting Motions for Continuances** in *Matter of L-A-B-R-*, 27 I&N Dec. 405 (A.G. 2018)
- **Increased Detention/Bond:**
  - **Supreme Court Decision in *Nielson v. Preap***: Finding that individuals with criminal convictions can be held without bond regardless of how much time has passed since their release from criminal custody (March 2019).
- **Limiting Availability of Cancellation of Removal Relief:**
  - **BIA Decision in *Matter of Andrade Jaso & Carbajal Ayala***, 27 I&N Dec. 557 (BIA 2019)
- **DACA litigation (2018 – 2019)**: Trump administration announced in 2018 that it was dismantling Deferred Action for Childhood Arrivals, a federal program that provides deportation protections and work permits to eligible, young undocumented people.
  - Litigation in federal courts have kept DACA on life support.
  - U.S. Supreme Court will weigh in on DACA in its 2019 fall term (November 2019)

## II. **Asylum Policy Changes (2018 – 2019):**

- **Asylum Ban 1.0** (November 2018): Presidential proclamation and interim final rule barring those who enter the U.S. without inspection from eligibility to seek asylum.
- **Speeding up Asylum Application Adjudication Timeframe in Immigration Court:**
  - EOIR Memo (November 2018)
- **Migrant Protection Protocols** (December 2018): Asylum seekers at the southern border are issued an NTA and placed in removal proceedings and returned to Mexico to wait for a hearing date.
- **The April 2019 Presidential Memorandum**: Directs DHS to charge a fee for asylum applications, deny employment authorization for asylum seekers who enter without inspection, require asylum proceedings to be completed within 180 days.
- **Changes to the Credible Fear Screening Process** (April 2019): USCIS issued new instructions to asylum officers regarding how to determine whether an asylum seeker has a credible fear of persecution or torture.
  - Expedited Credible Fear Interviews (August 2019): USCIS director speeds up CFI procedure
- **Third Country Transit Bar** (July 2019): Interim final rule barring those who passed through a third country on route to the United States from eligibility to seek asylum in the U.S. unless they applied for asylum and were denied in at least one country through which they passed.
- **Presenting Particular Social Groups (PSGs) in Immigration Court** (2018 – 2019):
  - BIA Decision in *Matter of W-Y-C- & H-O-B-*, 27 I&N Dec. 189 (BIA 2018): BIA held that PSGs involve a factual determination so must be considered before an immigration judge (new PSGs cannot be articulated on appeal).
  - Attorney General Decision Limiting Asylum for Domestic Violence Victims and Gang-Related PSG Claims in *Matter of A-B-*, 27 I&N Dec. 316 (A.G. 2018)
  - Attorney General Decision Purporting to Restrict Family-Based Asylum Claims in *Matter of L-E-A-*, 27 I&N Dec. 581 (A.G. 2019)
- **Limiting Asylum Protections of Unaccompanied Children (UAC):**

- BIA decision *Matter of M-A-C-O-*, 27 I&N Dec. 477 (BIA 2018): BIA held that an immigration judge has initial jurisdiction over an asylum application filed by a respondent previously determined to be an unaccompanied child who turns 18 before filing the asylum application.
- USCIS Memo Limiting Asylum Protections for Unaccompanied minors (May 2019)
  - *J.O.P. v. DHS* lawsuit issues preliminary injunction
- **Expansion of Expedited Removal** (July 23, 2019)
  - Nationwide Injunction issued on Sept. 27, 2019 in *Make the Road New York v. McAleenan* preventing implementation of expanded expedited removal
- **Increased Detention of Asylum Seekers:**
  - Attorney General's Decision in *Matter of M-S-*, 27 I&N Dec. 509 (A.G. 2019) holding that some asylum seekers who have established credible fear and are subject to deportation cannot be released on bond by immigration judges.
    - *Padilla v. USCIS*: federal judge rules that asylum-seeking migrants detained for being in the U.S. illegally have the right to a bond hearing in immigration court rather than being held until their cases are complete (July 2019)
  - Administration issues rule allowing indefinitely detention of children in centers with their parents. Enjoined by *Flores* litigation (September 2019)

### III. Family Separation Policies:

- **Trump Administration's Zero Tolerance Policy** (April – June 2018): Practice of separating children from their parents at the U.S.-Mexico border. Adults prosecuted and held in federal jails, children placed under the supervision of the U.S. Dept. of Health and Human Services
  - Family separations continue presently.
  - Litigation in *Ms. L v. ICE*, *Dora v. Sessions*, and *M.M.M v. Sessions*
  - Family reunification efforts continue.

**LAJF Year 1 Expenses**  
(November 27, 2017 - December 31, 2018)

ORGANIZATION	Y1, Q1	Y1, Q2	Y1, Q3	Y1, Q4	Year 1 Total Expenses
	Expenses	Expenses	Expenses	Expenses	
<b>Legal Service Providers</b>					
Asian Americans Advancing Justice - Los Angeles (AAAJ-LA)	\$ 133,722.00	\$ 60,939.00	\$ 64,085.00	\$ 49,457.00	\$ 308,203.00
Bet Tzedek Legal Services	\$ 49,396.00	\$ 42,778.00	\$ 48,142.00	\$ 50,531.00	\$ 190,847.00
Central American Resource Center (CARECEN)	\$ 2,611.00	\$ 4,191.00	\$ 43,128.00	\$ 36,633.00	\$ 86,563.00
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	\$ 23,185.00	\$ 43,005.00	\$ 92,488.00	\$ 125,114.00	\$ 283,792.00
Esperanza Immigrant Rights Project, Catholic	\$ 57,990.00	\$ 91,356.00	\$ 58,363.00	\$ 114,504.00	\$ 322,213.00
Immigrant Defenders Law Center	\$ 89,469.00	\$ 77,251.00	\$ 135,206.00	\$ 71,893.00	\$ 373,819.00
Kids in Need of Defense (KIND)	\$ 25,010.00	\$ 24,399.00	\$ 24,454.00	\$ 24,308.00	\$ 98,171.00
Los Angeles LGBT Center	\$ 31,935.00	\$ 34,407.00	\$ 32,742.00	\$ 33,347.00	\$ 132,431.00
Legal Aid Foundation of Los Angeles (LAFLA)	\$ 9,215.95	\$ 42,579.42	\$ 57,759.50	\$ 81,906.96	\$ 191,461.83
Program for Torture Victims (PTV)	\$ 19,138.00	\$ 16,349.00	\$ 16,238.00	\$ 18,947.00	\$ 70,672.00
Public Counsel Law Center	\$ 72,316.00	\$ 68,330.00	\$ 89,594.00	\$ 89,336.00	\$ 319,576.00
USC Gould School of Law, Immigration Clinic	\$ 17,992.00	\$ 3,326.00	\$ 23,122.00	\$ 25,596.00	\$ 70,036.00
<b>Total</b>	<b>\$ 531,979.95</b>	<b>\$ 508,910.42</b>	<b>\$ 685,321.50</b>	<b>\$ 721,572.96</b>	<b>\$ 2,447,784.83</b>
<b>Capacity Building Organizations</b>					
Catholic Legal Immigration Network, Inc. (CLINIC)	Not Required to Report Quarterly				
Loyola Immigrant Justice Clinic (LIJC), Loyola Law School	\$ 13,025.00	\$ 36,297.00	\$ 37,792.00	\$ 32,900.00	\$ 120,014.00
Nonprofit Finance Fund	Not Required to Report Quarterly				
OneJustice	\$ 34,039.30	\$ 44,391.62	\$ 38,818.82	\$ 28,557.35	\$ 145,807.09
Program for Torture Victims (PTV)	\$ 19,139.00	\$ 16,353.00	\$ 16,242.00	\$ 18,951.00	\$ 70,685.00
Southwestern Law School, Immigration Law Clinic (SWLC)	\$ -	\$ 28,141.00	\$ 24,597.00	\$ 31,955.00	\$ 84,693.00
<b>Data Collection and Evaluation &amp; Administration</b>					
Vera Institute of Justice, Center on Immigration and Justice (Vera)	Not Required to Report Quarterly				
<b>Program Administration</b>					
California Community Foundation (CCF)	Not Required to Report Quarterly				

Notes:

- There is a lag time in data collection for a given quarter and the reporting such that the actual financials will be updated from previous quarters.
- City of LA / LA County funds are only used for direct legal representation activities.
- CLINIC, NFF, and Vera are not required to provide quarterly financial reports.
- Funding for Program for Torture Victims (PTV) includes a combination of direct representation activities and capacity building resources.
- The City of LA and LA County are each paying CCF a one percent fee from their total contribution for administrative and indirect costs.

Changes to expenses previously reported:

- AAAJ-LA, expenses were updated on Q5 report to include expenses not previously reported.
- Esperanza, expenses were updated on Q6 to include expenses not previously reported.
- LA LGBT Center, expenses were updated on Q6 to include expenses not previously reported.
- KIND, expenses were updated on Q7 to include expenses not previously reported.

**LAJF Year 1 Total Expenses + Year 2 Expenses To Date  
(November 27, 2017 - September 30, 2019)**

ORGANIZATION	Total Expenses from Year 1	Y2, Q1	Y2, Q2	Y2, Q3				Total Expenses to Date
		Total Expenses	Total Expenses	City	County	Philanthropy	Total Expenses	
<b>Legal Service Providers</b>								
Asian Americans Advancing Justice - Los Angeles (AAAJ-LA)	\$ 308,203.00	\$ 61,003.00	\$ 69,217.00	\$ 4,876.00	\$ 8,432.00	\$ 5,440.00	\$ 18,748.00	\$ 457,171.00
Bet Tzedek Legal Services	\$ 190,847.00	\$ 43,275.00	\$ 45,192.00	\$ 16,130.00	\$ 23,023.00	\$ 2,365.00	\$ 41,518.00	\$ 320,832.00
Central American Resource Center (CARECEN)	\$ 86,563.00	\$ 48,969.00	\$ 22,674.00	\$ 6,467.00	\$ 7,257.00	\$ 9,541.00	\$ 23,265.00	\$ 181,471.00
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	\$ 283,792.00	\$ 116,907.00	\$ 109,401.00	\$ -	\$ 64,900.00	\$ -	\$ 64,900.00	\$ 575,000.00
Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles (Esperanza)	\$ 322,213.00	\$ 93,512.00	\$ 62,785.00	\$ -	\$ 54,811.00	\$ 17,870.00	\$ 72,681.00	\$ 551,191.00
Immigrant Defenders Law Center	\$ 373,819.00	\$ 81,695.00	\$ 111,490.00	\$ 32,049.00	\$ 26,548.00	\$ 51,440.00	\$ 110,037.00	\$ 677,041.00
Kids in Need of Defense (KIND)	\$ 98,171.00	\$ 22,870.00	\$ 21,609.54	\$ 8,571.00	\$ 8,571.00	\$ 5,914.00	\$ 23,056.00	\$ 165,706.54
Los Angeles LGBT Center	\$ 132,431.00	\$ 38,716.00	\$ 62,932.58	\$ 24,717.40	\$ 24,717.40	\$ 1,779.00	\$ 51,213.80	\$ 285,293.38
Legal Aid Foundation of Los Angeles (LAFLA)	\$ 191,461.83	\$ 42,783.75	\$ 78,590.20	\$ 21,480.52	\$ 26,390.35	\$ 13,502.03	\$ 61,372.90	\$ 374,208.68
Program for Torture Victims (PTV)	\$ 70,672.00	\$ 17,424.00	\$ 17,541.00	\$ 17,279.00	\$ -	\$ -	\$ 17,279.00	\$ 122,916.00
Public Counsel Law Center	\$ 319,576.00	\$ 83,476.00	\$ 65,544.41	\$ 19,543.00	\$ 39,084.00	\$ 31,271.00	\$ 89,898.00	\$ 558,494.41
USC Gould School of Law, Immigration Clinic	\$ 70,036.00	\$ 21,584.00	\$ 28,110.00	\$ 25,559.00	\$ 25,559.00	\$ -	\$ 51,118.00	\$ 170,848.00
<b>Total</b>	<b>\$ 2,447,784.83</b>	<b>\$ 672,214.75</b>	<b>\$ 695,086.73</b>	<b>\$ 176,671.92</b>	<b>\$ 309,292.75</b>	<b>\$ 139,122.03</b>	<b>\$ 625,086.70</b>	<b>\$ 4,440,173.01</b>
<b>Capacity Building Organizations</b>								
Catholic Legal Immigration Network, Inc. (CLINIC)	Not Required to Report Quarterly							
Loyola Immigrant Justice Clinic (LIJC), Loyola Law School	\$ 120,014.00	\$ 37,141.00	\$ 37,573.00			\$ 38,810.00		\$ 233,538.00
Nonprofit Finance Fund	Not Required to Report Quarterly							
OneJustice	\$ 145,807.09	\$ 25,615.54	\$ 33,211.20			\$ 20,366.17		\$ 225,000.00
Program for Torture Victims (PTV)	\$ 70,685.00	\$ 17,427.00	\$ 17,543.00			\$ 17,281.00		\$ 122,936.00
Southwestern Law School, Immigration Law Clinic (SWLC)	\$ 84,693.00	\$ 29,820.00	\$ 41,711.00			\$ 32,419.00		\$ 188,643.00
<b>Data Collection and Evaluation &amp; Administration</b>								
Vera Institute of Justice, Center on Immigration and Justice (Vera)	Not Required to Report Quarterly							
<b>Program Administration</b>								
California Community Foundation (CCF)	Not Required to Report Quarterly							

Notes:

- There is a lag time in data collection for a given quarter and the reporting such that the actual financials will be updated from previous quarters.
- City of LA / LA County funds are only used for direct legal representation activities.
- CLINIC, NFF, and Vera are not required to provide quarterly financial reports.
- Funding for Program for Torture Victims (PTV) includes a combination of direct representation activities and capacity building resources.
- The City of LA and LA County are each paying CCF a one percent fee from their total contribution for administrative and indirect costs.

Changes to expenses previously reported:

- AAAJ-LA, expenses were updated on Q5 report to include expenses not previously reported.
- Esperanza, expenses were updated on Q6 to include expenses not previously reported.
- LA LGBT Center, expenses were updated on Q6 to include expenses not previously reported.
- KIND, expenses were updated on Q7 to include expenses not previously reported.

**LAJF Grant Allocations and Expenses To Date**  
**November 27, 2017 - September 30, 2019**

ORGANIZATION	Total Grant Allocation				Total Expenses as of September 30, 2019				Remaining Funds	Percentage Spent to Date
	City	County	Philanthropy	Total	City	County	Philanthropy	Total		
<b>Direct Representation</b>										
Asian Americans Advancing Justice - Los Angeles (AAAJ-LA)	\$ 200,000.00	\$ 280,000.00	\$ 95,000.00	\$ 575,000.00	\$ 182,463.00	\$ 224,518.00	\$ 50,190.00	\$ 457,171.00	\$ 117,829.00	80%
Bet Tzedek Legal Services	\$ 138,000.00	\$ 145,000.00	\$ 42,000.00	\$ 325,000.00	\$ 138,000.00	\$ 141,986.00	\$ 40,846.00	\$ 320,832.00	\$ 4,168.00	99%
Central American Resource Center (CARECEN)	\$ 100,000.00	\$ 275,000.00	\$ 200,000.00	\$ 575,000.00	\$ 64,043.00	\$ 48,796.00	\$ 68,632.00	\$ 181,471.00	\$ 393,529.00	32%
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	\$ 165,000.00	\$ 260,000.00	\$ 150,000.00	\$ 575,000.00	\$ 165,000.00	\$ 260,000.00	\$ 150,000.00	\$ 575,000.00	\$ -	100%
Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles (Esperanza)	\$ 200,000.00	\$ 250,000.00	\$ 125,000.00	\$ 575,000.00	\$ 202,965.00	\$ 247,630.00	\$ 100,596.00	\$ 551,191.00	\$ 23,809.00	96%
Immigrant Defenders Law Center	\$ 150,000.00	\$ 350,000.00	\$ 275,000.00	\$ 775,000.00	\$ 174,149.00	\$ 130,171.00	\$ 372,721.00	\$ 677,041.00	\$ 97,959.00	87%
Kids in Need of Defense (KIND)	\$ 75,000.00	\$ 75,000.00	\$ 50,000.00	\$ 200,000.00	\$ 62,739.36	\$ 63,510.80	\$ 39,456.38	\$ 165,706.54	\$ 34,293.46	83%
Los Angeles LGBT Center	\$ 130,000.00	\$ 130,000.00	\$ 65,000.00	\$ 325,000.00	\$ 125,611.89	\$ 125,611.89	\$ 34,069.60	\$ 285,293.38	\$ 39,706.62	88%
Legal Aid Foundation of Los Angeles (LAFLA)	\$ 200,000.00	\$ 250,000.00	\$ 125,000.00	\$ 575,000.00	\$ 134,665.01	\$ 160,909.72	\$ 78,633.95	\$ 374,208.68	\$ 200,791.32	65%
Program for Torture Victims (PTV)	\$ 125,000.00	\$ -	\$ -	\$ 125,000.00	\$ 122,916.00	\$ -	\$ -	\$ 122,916.00	\$ 2,084.00	98%
Public Counsel Law Center	\$ 145,400.00	\$ 300,000.00	\$ 254,600.00	\$ 700,000.00	\$ 119,935.14	\$ 241,333.28	\$ 197,225.99	\$ 558,494.41	\$ 141,505.59	80%
USC Gould School of Law, Immigration Clinic	\$ 90,000.00	\$ 90,000.00	\$ -	\$ 180,000.00	\$ 85,424.00	\$ 85,424.00	\$ -	\$ 170,848.00	\$ 9,152.00	95%
<b>Total</b>	<b>\$1,718,400.00</b>	<b>\$ 2,405,000.00</b>	<b>\$1,381,600.00</b>	<b>\$5,605,000.00</b>	<b>\$ 1,577,911.40</b>	<b>\$ 1,729,890.69</b>	<b>\$ 1,132,370.92</b>	<b>\$ 4,440,173.01</b>		<b>80.7%</b>
<b>Capacity Building</b>										
Catholic Legal Immigration Network, Inc. (CLINIC)	\$ -	\$ -	\$ 200,000.00	\$ 200,000.00	Not Required to Report Quarterly					
Loyola Immigrant Justice Clinic (LIJC), Loyola Law School	\$ -	\$ -	\$ 260,000.00	\$ 260,000.00	\$ -	\$ -	\$ 233,538.00	\$ 233,538.00		90%
Nonprofit Finance Fund	\$ -	\$ -	\$ 200,000.00	\$ 200,000.00	Not Required to Report Quarterly					
OneJustice	\$ -	\$ -	\$ 225,000.00	\$ 225,000.00	\$ -	\$ -	\$ 225,000.00	\$ 225,000.00		100%
Program for Torture Victims (PTV)	\$ -	\$ -	\$ 175,000.00	\$ 175,000.00	\$ -	\$ -	\$ 122,936.00	\$ 122,936.00		70%
Southwestern Law School, Immigration Law Clinic	\$ -	\$ -	\$ 260,000.00	\$ 260,000.00	\$ -	\$ -	\$ 188,643.00	\$ 188,643.00		73%
<b>Data Collection &amp; Program Evaluation</b>										
Vera Institute of Justice, Center on Immigration and Justice (Vera)	\$ 166,600.00	\$ 250,000.00	\$ 183,400.00	\$ 600,000.00	Not Required to Report Quarterly					
<b>Program Administration</b>										
California Community Foundation (CCF)	\$ 20,000.00	\$ 30,000.00	\$ -	\$ 50,000.00	Not Required to Report Quarterly					
<b>TOTAL</b>	<b>\$ 1,905,000.00</b>	<b>\$ 2,685,000.00</b>	<b>\$ 2,885,000.00</b>	<b>\$ 7,475,000.00</b>						
<b>REMAINING BALANCE</b>	<b>\$ 95,000.00</b>	<b>\$ 315,000.00</b>	<b>\$ 15,000.00</b>	<b>\$ 425,000.00</b>						

- Notes:
- There is a lag time in data collection for a given quarter and the reporting such that the actual financials will be updated from previous quarters.
  - City of LA / LA County funds are only used for direct legal representation activities.
  - CLINIC, NFF, and Vera are not required to provide quarterly financial reports.
  - Funding for Program for Torture Victims (PTV) includes a combination of direct representation activities and capacity building resources.
  - The City of LA and LA County are each paying CCF a one percent fee from their total contribution for administrative and indirect costs.

- Changes to expenses previously reported:
- AAAJ-LA, expenses were updated on Q5 report to include expenses not previously reported.
  - Esperanza, expenses were updated on Q6 to include expenses not previously reported.
  - LA LGBT Center, expenses were updated on Q6 to include expenses not previously reported.
  - KIND, expenses were updated on Q7 to include expenses not previously reported.

## **LA Justice Fund: Stories of Impact**

### **Victims of Violence Cases**

#### Case #1 (Domestic Violence)

BR is a Mexican mother of two, who was detained after a domestic violence (DV) incident on the street in which her partner was physically abusing her. Police were called by bystanders. BR is a survivor of chronic and complex trauma -- beginning in childhood -- where she witnessed her mother being brutalized daily, where she acted as protector to her two younger siblings while she herself was a mere child, where she suffered serial sexual abuse at the hands of older men and relatives in her unprotected life.

Her mother fled across the border with her and her siblings with help from community members who recognized that they would get killed at the hands of BR's father. She and her family eventually attained Lawful Permanent Residence (LPR), however BR with her traumatic past -- and still largely vulnerable to ongoing abuse by people who hosted them and having a mother who continued to remain traumatized. BR found "protection" in the arms of intimate partners -- who provided initial affection, which was not sustainable. She was brutalized by these men serially, engaged in terrible coping methods, including self-medicating.

She was arrested on a warrant when police were called to intervene in the DV incident on the street where by she was being brutally beaten. However, she was arrested due to an outstanding warrant. She was held in Adelanto for about a year before her case concluded with a positive outcome with the assistance of LAJF fund which also included a psych evaluation report from Program for Torture Victims (PTV) documenting the trauma impact she faced.

Her plans to reunite with her bio-family and children fell apart after her release. She had been counting on her mother and brother to take her back into their home to reunite with her young children who were eagerly awaiting her return. Her stepfather changed his mind about letting her back into the home. No one picked her up from Adelanto on the day she was released. Her previous community supports had failed her. She called several people to help her get back to LA -- and not one could come get her. She landed up calling the family of her abuser. The abusers' cousin drove to Adelanto to pick her up and housed her thereafter -- in the same home where the abuser lives.

Her stepfather and family filed for custody of her two children in learning that she was being housed in the family home of the perpetrator. They went to Probate Court and the L.A. County Department of Children and Family Services (DCFS) was assigned to assess her ability to care for her children.

She currently remains in high crisis state, was homeless when she got out, and no support systems to help her transition back to society and at least have access to basic needs: food, clothing, shelter, and a means to be able to work, work authorization. None of this was available to her upon release. Pushing her to return to her abuser's environment, continue to succumb to abuse in exchange for a roof over her head, no income to even afford transportation or food.

She reached back out to PTV -- and we are providing crisis intervention services (ProBono) -- to help her find safety, and fight for her children. We are doing the intensive crisis work of building a safety net for her to address her unsafe housing/ homelessness, safety from ongoing DV, seeking DV shelter, locating ProBono counsel/family attorney, coordinating with DCFS, finding



## LA Justice Fund: Stories of Impact

access to healthcare and counseling her around not relapsing as a way to numb the incredible stress, and pain she is going through from being separated from her kids. This is an ongoing story --which remains in the midst of its crisis stage. She is meeting with DCFS this week and hoping to find confidential DV shelter if beds are available.

### Case #2 (VAWA)

An elderly woman living in Los Angeles County called our office seeking help after her firstborn son assaulted her. This woman had no immigration status, did not speak any English, and had no income. She was at risk of deportation as she had an outstanding removal order. Legal Aid Foundation of Los Angeles (LAFLA) agreed to assist her with her VAWA application. This woman was a victim of felonious assault at the hands of her US citizen son. Her son became very violent after his stepfather died when he was just a teenager. He started getting into fights and was subsequently incarcerated. After he was released from prison, his mother was hopeful his behavior would change. However, it only exacerbated, he started doing drugs, which lead to erratic and paranoid behavior. His mother encouraged him to seek rehabilitation. Unfortunately, while in rehabilitation, he failed one of his drug tests and was asked to leave.

When he returned from rehabilitation, his behavior was even more erratic and violent. Despite his mother's efforts, he refused to go back to rehabilitation. When she tried to talk to him about it – he would get aggressive, angry, and violent. One time when his mother confronted him, he threw a plate at her. On another occasion, he grabbed her by the shirt and dragged her around the house. On various occasions, he would threaten her with knives and would strangle her.

On December 1, 2016, he broke into his mother's house. His mother recognized his voice and could hear him in the bathroom. She immediately ran to the kitchen and hid all the knives so he could not use them as weapons. She was going to leave the house, when her son saw her. He came up to her and told her that she did not love him. He then pulled back his fist and punched her right over the bridge of her nose. She ran to a neighbor's house for help. Her shirt was drenched in blood. She also went to the doctor for the bruising and swelling. That was the last time she has seen her son. While she is hurt that her son would treat her like this, she is also relieved and focused on her other kids. She hopes that they can heal and recover together. On February 13, 2018, LAFLA filed a VAWA petition on behalf of this abused mother and we received her prima facie determination in April 2018. LAFLA looks forward to receiving a VAWA petition approval so that we can mitigate her outstanding removal order and save her from deportation.

### Case #3 (Victim of Crime)

A concerned mother living in Los Angeles County contacted the LAFLA offices seeking for help after her daughter confided she was sexually assaulted by her uncle. The daughter and her family did not have immigration status, her parents did not speak any English, and they had very limited resources. The father was at risk of deportation having had contact with immigration officials in the past. LAFLA agreed to assist this family with a U visa application.

After the sexual assault at the hands of the maternal uncle, the girl suffered severe trauma. Her parents were extremely concerned about her and they contacted law enforcement, Department of Child and Family Services, and therapy providers to help their child. The parents' sought a restraining order and immediately relocated to make their child feel safe in their home.

## LA Justice Fund: Stories of Impact

On January 16, 2018, LAFLA filed a U visa application on behalf of the girl and her family. LAFLA looks forward to receiving a U visa petition approval so that the family can continue to heal and recover together.

### Case #4 (Asylum)

Cynthia is a hard-working mother of three U.S. citizen children who has called Los Angeles home since 2006. She was recently detained by immigration officials after she went to Mexico for a brief visit to see her dying father. Sadly, while living in the US, Sylvia was severely beaten and raped by her ex-partner and the father of her child. Her abuser was deported to Mexico last year, and Sylvia's recent trip to Mexico prompted her abuser to search for her. Unfortunately, by the time Cynthia arrived in Mexico her father had passed away. Her ex-partner saw the news of his wake on Facebook and soon after arrived at her family's home, armed with a gun, and demanded that the family give Cynthia back to him - as if she were an object and not a human being. Sylvia was terrified that she would be killed, so she quickly fled Mexico, attempting to re-enter the United States and return home to her children in Los Angeles. Cynthia was detained at the US-Mexico border and placed in immigration detention at Adelanto, CA. She was scared, alone, and wondered if she would ever see her three children again.

Cynthia was fortunate to be referred to the attorneys at Immigrant Defenders Law Center (ImmDef), who, with the support of the LA Justice Fund, have begun representing her in her fight for asylum. Cynthia had an opportunity to share her story of abuse before an Immigration Judge in early June 2018. Sylvia's case was largely reliant on "Matter of A-R-C-G-," a case that extended asylum protection to victims of domestic violence. Unfortunately, just one week after her testimony, and while awaiting the Judge's decision, Attorney General Sessions issued a decision which inhumanely strips asylum protection from victims of domestic violence. However, with her ImmDef attorney by her side, Cynthia has a fighting chance to employ cutting edge and developing legal theories to protect her from the Trump administration's continuing assaults on women and children. Sylvia, despite her hardships, is lucky that her city, Los Angeles, is standing by her and supporting her as she continues to fight for her life.

### Case #5 (Victim of Violence)

An AAAJ-LA client removal order was terminated by an immigration judge in Tacoma, Washington. "Daniel" was the victim of a violent shooting that left him paralyzed from the waist down. He is an exemplary member of the community, who has turned his negative circumstances into an inspirational one. Daniel volunteers at the rehabilitation center he attends for physical therapy and also volunteers at Cal State University Los Angeles, teaching students in one of the medical departments about living with a disability. In his motion to terminate, the judge mentioned that the letters of support demonstrated "his character, volunteerism, and commendable civic spirit." The AAAJ-LA team worked on the motion to reopen his case and the motion to terminate his removal. His work was funded under LA City funds.

### Case #6

A Bet Tzedek client fled her home country to escape sexual abuse by a family member and sexual assault by a person in uniform. She was understandably hesitant and laconic in her initial interactions with us. She lived with her aunt upon moving to the US and, after a few meetings with our advocates at Bet Tzedek, she revealed that her aunt was not a supportive figure in her life. Her aunt ran a "casita" out of her home—literally translated as "little houses," casitas are

## LA Justice Fund: Stories of Impact

illegal speakeasies, often located in run-down buildings or homes, offering illicit drugs, gambling, and prostitution.

### Case #7 (Victim of Violence; Bond; Cancellation of Removal)

“Israel’s” case has been particularly inspiring, as he has persevered through many struggles as a child and teenager, and has committed himself to rehabilitation, personal growth, and faith after making mistakes as a young adult. Israel and his mother migrated to the U.S. when he was ten years old as a violent civil war was erupting. Israel witnessed other children being recruited and kidnapped to be child soldiers. Israel’s mother’s life was threatened for her involvement with a political party. Several of his family members were murdered. His sister’s children were held in a rebel camp for several years. Israel was a victim of sexual abuse as a child for which he carried guilt and shame throughout his life.

Israel arrived at the U.S. in the mid-1990’s in Compton, CA. Israel faced significant of discrimination and violence because of the racial tension in his neighborhood. Israel also became a target for bullying and was often called, xenophobic names and was beaten up frequently. Israel attended Compton High School during a very violent time. While finishing high school, Israel’s step-father’s health began to decline, so Israel started to help care for his step-father until he passed away in 1999. After high school Israel could not find work and began associating with the wrong crowd to make money in ways that ultimately landed him in prison. However, one of the most admirable traits of Israel his commitment to his rehabilitation and his ability for someone to take full responsibility of the things he did wrong. He demonstrates sincere remorse and how he has fundamentally transformed his life. While detained Israel completed several fellowships, classes, vocational programs and is one semester away from receiving his Associates of Science degree. Israel is grateful to be able to learn from his past mistakes and want to use his story to share with other and help those in similar situations. He wants to be able to give back to his community and help young people dealing with violence, abuse and bullying so they can avoid the same path as Israel. Israel understands the importance of providing youth in his community an opportunity to relate to someone who has been in a similar situation.

ImmDef was successful in helping Israel receive a bond and is now home with his mother after spending almost 7 years apart. ImmDef was also successful in demonstrating to the court over DHS’ arguments that he is eligible for cancellation of removal. During Quarter 4, Israel was granted cancellation of removal for permanent residents and his immigration case has now been resolved.

### Case #8 (Victim of Violence; Bond)

Maria is an ImmDef client who is a long-time resident of LA County and she has two U.S. Citizen children living in Los Angeles. Maria was the victim of domestic violence, including sexual violence throughout her life in the United States and in her home country of El Salvador. Starting in her early teenage years in El Salvador, Maria’s mother forced her into sexual slavery, forcing her to work as a prostitute. After several years, Maria fled to the United States where she met the father of her two U.S. Citizen daughters. The father of her children began to abuse Maria physically soon after her daughters were born. After her children were born, Maria’s husband contracted HIV from an affair with another woman and transmitted it to Maria. After years of trauma and abuse, Maria turned to alcohol to escape and was ultimately convicted of driving under the influence. Although Maria was diagnosed with PTSD and demonstrated to the Immigration Judge she was seeking rehabilitation related to her alcohol use, the judge denied

## LA Justice Fund: Stories of Impact

her the opportunity to be released on bond and return home to her minor children who were living with Maria's abuser. Although Maria's bond was denied, ImmDef staff worked tirelessly on her case and she was granted asylum. As a result, Maria was released from detention and now has documentation in the United States. With legal status Maria is attempting to obtain the support and services she needs.

### Case #9 (LGBTQ+)

In November 2018, the LGBT Center represented 2 transgender individuals in securing asylum before the Immigration Court. One came to the US as a 19-year-old after having suffered threats and abuse as a transgender man. The Center secured his release from detention, where he experienced harassment, and was parole to the Center. Following his release, the LGBT Center represented him in his Immigration Court case where he won asylum. The Los Angeles LGBT Center assisted him in preparing and filing a name and change degree to correct all identity documents. The Center has helped him with finding employment and enrolling in school.

### Case #10 (LGBTQ+)

In November 2018, the LGBT Center represented 2 transgender individuals in securing asylum before the Immigration Court. One of them was a medical student when she was attacked because she is a transgender woman. After fleeing her home in Central America, she was detained for several months when she came to the US. With little support in the US from her family, she came to the LGBT Center when she was on the verge of homelessness. The LGBT Center secured her employment authorization and later represented her before the Immigration Court and won asylum. Over that last few months, she has begun her studies again and is continuing her dream to practice medicine.

### Case #11 (LGBTQ+)

Public Counsel won a BIA appeal during the second quarter of year two of the program (April – June 2019) for a gender nonconforming client from Mexico. The BIA agreed that the immigration judge failed to properly consider country conditions for transgender men in Mexico in denying relief under the Convention Against Torture. The case is now back before the Immigration Court where Public Counsel and the client await a new (and hopefully positive) decision.

### Case #12 (VAWA)

In December of 2018 one of Public Counsel's LAJF attorneys received a prima facie approval for an LAJF client who had filed a petition under the Violence Against Women Act (VAWA). The client is a talented fashion designer who had previously graduated from college in the United States with a degree in graphic design. She attempted to start a career in fashion in her home country in Africa. Although she received international recognition for her work, she had great difficulty eking out a living as a designer in her home country, which is impoverished and suffers from institutional corruption. In 2014, she entered the U.S. to promote her clothing and brand around Los Angeles. Six months after her arrival, she began a romantic relationship with a U.S. citizen, and the two married shortly thereafter. Although the marriage began well, our client's husband became increasingly manipulative and controlling, using our client's immigration status and poverty as a means of controlling her. Whenever she threatened to leave him, he would remind her that she needed him to get papers. Our client finally left the marriage in 2017, but without a job, support system, or immigration status, she essentially became homeless. She was detained by ICE at Adelanto and placed in removal proceedings in late 2017. Throughout all of 2018, the attorney worked with the client to gather evidence and prepare applications to

## LA Justice Fund: Stories of Impact

file for VAWA status. The application was finally submitted in October, and we received prima facie approval in December. Although there is still much work left to be done, we are hopeful that we can arrange legal status for her and watch her career as a designer get back on track.

### Unaccompanied Children Cases

#### Case #1

Catherine is a fifteen-year-old girl from Guatemala who was abandoned by both her mother and father and left to be raised by her grandmother. When her grandmother died, Catherine lived with her aunt, who took advantage of her and that she had no one to care for her. Catherine's aunt placed her into forced labor and trafficked Catherine into working for her. Her aunt took most of Catherine's money for herself and would frequently abuse her by tying her up with a lasso while physically abusing her. When not working, Catherine was forced to cook and clean for the home and slept on the cold floor with no blankets or warmth.

By hiding what little she could from her aunt, Catherine saved up enough money to make the difficult journey to the U.S., where she is now with loving and caring family who have Catherine's best interest at heart. KIND is directly involved with Catherine's case and we're currently pursuing Special Immigrant Juvenile Status and possible asylum. KIND seeks to appoint Catherine's sponsor as her legal guardian so that she can receive the proper care and attention she deserves.

#### Case #2

Ira is a three-year-old girl from El Salvador who fled her home country with her uncle and grandmother due to gang threats against the family. Ira's uncle was one of the few people in his community who decided to stand up against the local gang's criminal activities and testified in court, resulting in gang members going to prison.

Although Ira, her grandmother, and her uncle were placed into witness protection thereafter, the local gang found out where the family was living and sought to kill Ira's uncle as retaliation for acting against them. Gang members placed a gun to Ira's grandmother's head while she held Ira in her arms. The men demanded to know more information about Ira's uncle and his whereabouts and gave the grandmother and Ira 24 hours to give them the information. That same night, Ira and her family made the difficult journey to the United States, where they are now seeking asylum and protection.

When arriving in the U.S. Ira faced a different set of problems. Once in the custody of ORR, Ira was placed with a foster family that did not properly care for Ira and her wellbeing. This neglect resulted in Ira being hospitalized for skin rashes and diseases. Once out of the custody of ORR and finally released to her family, Ira was treated properly and is now in a better home than before. KIND has met with young Ira and her family and we're searching for a volunteer attorney to represent Ira in her immigration case so that Ira may remain with her family.

#### Case #3

Marley is an indigenous girl from Guatemala living with her father and Marley's partner in the Los Angeles area. Marley's primary language is Mam, with a limited understanding of Spanish and much less grasp of English. On one occasion in the U.S., Marley was being physically abused by her partner due to jealousy. Marley's father witnessed the abuse and called the police to protect his daughter, resulting in the partner being arrested. Social Services were

## **LA Justice Fund: Stories of Impact**

subsequently called and due to language issues between Marley and the social worker, there have been great difficulties in Marley's case. Currently, KIND is in communications with Marley and her father and we're screening the case for possible legal services KIND may provide.

### Case #4

LAJF team members won release on bond for "Joaquin," a 19-year-old orphan who came to Los Angeles as an unaccompanied child at age 16. Joaquin was approved for SIJS in 2016, but he is still awaiting his visa due to backlogs in the system. Despite his approved SIJS petition, ICE detained Joaquin and put him in removal proceedings after he completed a six-month criminal sentence. Joaquin struggled daily in detention and, after six months at Adelanto, was on the cusp of giving up and returning to Honduras. However, with legal representation and robust support from various community groups, including the San Fernando Valley Immigrant Youth Coalition (IYC), Joaquin was able to win a \$5000 bond. IYC members ran a campaign to raise the bond funds, and Joaquin was released from custody in September 2018. He is thrilled to be out and has the ongoing support of community groups to help him get back on his feet. Public Counsel, with LAJF support, will continue to represent Joaquin in his removal proceedings on the non-detained docket of the Los Angeles Immigration Court.

### **Heads of Household**

#### Case #1

Juan has lived in Los Angeles County since 1988. He has three US citizen children and two US citizen grandchildren. All his children and grandchildren live in Los Angeles County. During Juan's time as an LA County resident, he has been employed and an active member of the community. Juan has worked at the San Fernando Swap Meet for the last 20 years. He frequently donates toys and supplies to public schools in his community. Additionally, he and his daughter regularly prepare food and supplies for homeless individuals and donate directly to the homeless population in the San Fernando Valley.

As Juan was preparing to leave home for work one morning, he was unexpectedly arrested by ICE. Juan, not fully understanding why ICE officials were at his house, invited the officers to come in. The officers falsely accused Juan of having stolen vehicles on his property and detained him although they did not have evidence of a crime or a warrant for his arrest. Juan had allowed a friend to park a car at his home, but the officers documented that they suspected the car was stolen. When Juan's daughter went to local police, they had no record of any investigation concerning Juan.

Juan's detention was extremely difficult and confusing for his family members. His daughters and grandchildren were devastated not knowing if or when he would come home. Juan shares a very close relationship with all his children.

At his initial Immigration Court hearing, Juan and ImmDef staff were ready to explain to the court why he merited release from detention. DHS counsel submitted a document prepared by the ICE officers who came to his house and accused Juan of stealing cars without any proof. The officers who arrested Juan were not present in court. Because Juan had a lawyer to advocate for him, he was able to demonstrate the unreliability of the document and object to its admission as evidence in court. The Immigration Judge agreed with this argument and Juan was released on bond at his first hearing. Without a lawyer, it would have been impossible for Juan to demonstrate that the accusations made by the arresting ICE officers were unfounded.

## LA Justice Fund: Stories of Impact

Juan is now home with his family, and he is very grateful to have the support of Los Angeles, his home for the last thirty years, as he continues to fight his case. He knows that because of this support, he will never need to face this struggle alone.

His 20-year-old daughter, who is a student at Cal State LA and works for LA's Best Afterschool Enrichment Program, provided extensive documentation for ImmDef staff to assist in the preparation for her father's bond hearing. After working closely with ImmDef staff, Juan's daughter has decided she wants to become a lawyer and will begin volunteering with ImmDef's Los Angeles Justice Fund Program next week, so she can help other Angelino families facing similar situations.

### Case#2

Mr. J.J. has resided in the United States since 1976, when he arrived as a ten-year-old child. He has been a lawful permanent resident (LPR) since 1981. He is a long-time resident of Los Angeles, where he and his then-wife, a U.S. citizen, raised their two U.S. citizen daughters, ages 18 and 20. One of his daughters, N.J., has a serious medical condition that required intensive care in her early childhood. Mr. J.J. and his ex-wife, with whom he remains close, experienced marital difficulties after the birth of N.J., resulting in a string of misdemeanor convictions for domestic violence. As part of his rehabilitative efforts, Mr. J.J. completed several programs for domestic violence perpetrators and participated in counseling. Throughout, Mr. J.J. maintained steady employment as an auto mechanic. Many of Mr. J.J.'s friends and family have written that Mr. J.J. is an extremely hardworking man who has always provided for his family.

Mr. J.J. was arrested by ICE on his way to work one morning. The basis for his arrest was his last criminal conviction, which occurred in 2008. Despite having had no further contact with law enforcement in the last decade, Mr. J.J. was transferred to the Adelanto Detention Facility and placed in removal proceedings. Represented by an LAJF attorney, Mr. J.J. successfully argued that he was neither a flight risk nor a danger to the community. He was released from custody on a \$6,500 bond. Unfortunately, because of the release restrictions imposed by ICE, including both ICE check-ins and home visits, Mr. J.J. has been unable to return to work full time. Public Counsel, with LA Justice Fund support, continues to represent Mr. J.J. in his removal proceedings on the non-detained docket of the Los Angeles Immigration Court.

### Case #3

Mr. M. was brought to the United States almost thirty years ago, when he was still a toddler. Mr. M. speaks English, has lived in Los Angeles since he was an infant, and is, for all intents and purposes, culturally American. Mr. M and his wife, a U.S. citizen by birth, have been married since 2011, and have four U.S. citizen children, ages 11, 10, 7, 3. He is a committed husband and father. Although Mr. M. was involved in gangs when he was a young man, he left gang life years ago and began a new, law-abiding life for himself. As Mr. M. matured into a young man, he realized the terrible effects of gang life and committed himself to the difficult task of gang separation. He has had no criminal record for the past ten years. As part of his rehabilitative process, Mr. M. studied culinary arts at Le Cordon Bleu College of Culinary Arts. Since his graduation from Le Cordon Bleu, Mr. M. has worked at two different restaurants in the Los Angeles area. Mr. M.'s employers and customers have written admiringly of his reliability, work ethic, and positive demeanor. For the past five years, Mr. M. has worked as a volunteer coach for a youth soccer league in his LA neighborhood, in part to help dissuade at-risk youth from joining gangs.

## **LA Justice Fund: Stories of Impact**

Despite Mr. M.'s rehabilitation and strong ties to the community, ICE targeted him for removal. He was arrested after leaving his workplace in Los Angeles and transferred to the Adelanto Detention Facility where he faced removal proceedings. Public Counsel took on Mr. M.'s representation through the LA Justice Fund. At his bond hearing, ICE fought hard to convince the immigration judge that Mr. M. should remain detained pending removal proceedings. They lost. With the help of counsel, Mr. M., his family, and friends succeeded in showing the judge that Mr. M. was neither a danger to the community nor a flight risk. To the contrary, he is a hard worker, caring husband, and a role model for his children and the youth in his community. The judge ordered Mr. M. released on a \$3000 bond. He is now reunited with his family and back at work. Public Counsel, with LA Justice Fund support, continues to represent Mr. M. in his removal proceedings on the non-detained docket of the Los Angeles Immigration Court.

### **Difficulty Providing Residency Documentation**

#### Case #1

A 21-year-old man who has lived in the US undocumented since 2007, when he entered the country at age 11 with his family. He is a DACA recipient who was arrested by ICE and detained in Adelanto. Esperanza is advocating for termination of his removal proceedings based on his being a current DACA recipient.

This young man is homeless in a practical sense. Prior to his detention, his strained relationships with his family members left him staying with friends and his girlfriend. Though his girlfriend and her mother would be willing to take him in, they are worried because other undocumented people (not known to ICE) live with them and his presence in the home could draw ICE's attention to the home (for visits, check-ins, supervision in general). He is essentially prevented from requesting bond because, were we to do so, the immigration judge would deny it for his being homeless and therefore a risk of flight. This is an area where insisting on documentation of residency is problematic. His case is funded through the County.

#### Case #2

A 50-year-old undocumented man who has lived in the United States for the past 19 years. Esperanza had to make use of the City waiver to represent him because of a conviction. During his imprisonment, he was transferred out of the state of California due to overcrowding. While out of state in another prison, he was raped and threatened by other prisoners for refusing to take part in smuggling and selling contraband inside the prison. He was later transferred to another state for protective custody and then to California, again in protective custody, until he completed his sentence. This is an area where insisting on documentation of residency is problematic. This man has undocumented/DACA children in the United States, but he has lost communication with them since entering ICE custody. His children fear ICE will know about them and come after them if they continue communicating with him. If documentation were insisted upon, this man would be excluded from representation.

### **Other**

#### Case #1



## LA Justice Fund: Stories of Impact

AAAJ-LA's Case Manager continues to assist LAJF clients with needs beyond legal representation. One challenge is the lack of resources available to clients who are out of status and experiencing homelessness. For example, one of the LAJF clients is homeless, has severe mental health issues, has difficulty with various daily activities, and only speaks Khmer. The Case Manager has met with the client at the Harbor Regional Center to find appropriate aid that fit her needs. The center requires 3 appointments to properly diagnose the client. Case Manager has attended the third appointment, and by the time Q3 Report was submitted, they should receive a diagnosis within a few weeks.

### Case #2

The legal services provided by LAJF have had an enormous positive influence for individuals detained at the Adelanto Detention Facility. One individual who has lived in Los Angeles County as a lawful permanent resident since he was four years old was placed in removal proceedings in February. This person briefly turned to drug use after his father died of cancer. The same year of his father's death, ICE posed as probation officers and took him and his brother into custody. His mother was left in the home alone with no support.

This individual was fortunate enough to receive help from an LAJF attorney. Although bond was denied twice, this individual was ultimately granted cancellation of removal and was saved from deportation. ImmDef LAJF attorney successfully litigated that a conviction did not make him ineligible for cancellation of removal. Through aggressive lawyering, this person won on the merits of his case. This person was released from immigration detention with his immigration proceedings behind him just a few days before his mother's naturalization oath ceremony which he attended. Because of the LAJF this individual was able to watch his mother become a citizen of the U.S.

### Case #3

ImmDef's LAJF program assisted another long term lawful permanent resident win cancellation of removal. This individual had lived in the U.S as a lawful permanent resident for nearly 20 years. DHS placed this person in removal proceedings in December 2017. DHS placed this person in removal proceedings for a conviction that occurred in 1999 – almost 20 years ago. DHS argued that his 1999 conviction was a “crime involving moral turpitude” that prevented this individual from even applying for cancellation of removal. Through ImmDef's representation this person was able to successfully argue that his conviction was not a bar to relief. After being detained for 9 months, this person was granted cancellation of removal and permitted to remain in the country he has called home for over 20 years.

### Case#4

ImmDef's LAJF program also assisted a 62-year-old man who has been a resident of the U.S for a decade. This man has no family in his home country – his siblings and son are all in the U.S. Prior to receiving services from LAJF the man had a conviction that qualified as an “aggravated felony” due to the sentence. LAJF was able to successfully work with the LA County Public Defender's Office and modify the sentence. The conviction no longer qualified as an “aggravated felony” and this man was now able to apply for asylum as well as cancellation of removal. Without the tireless effort of the LAJF program, this man would have had almost no relief from deportation.

### Case #5

## LA Justice Fund: Stories of Impact

Public Counsel's attorney, working in collaboration with the LA County Public Defender's Office, achieved an excellent result for a long-time resident of Los Angeles who was brought to the United States from Honduras as a small child.

"Miguel" lived a normal life until, in his late teens and early twenties, he began to exhibit signs of a serious mental illness. His condition worsened until, in 2012, his mother interrupted him in the midst of a severe psychotic episode. During this episode, Miguel struck his mother. He was arrested and charged with assault. Miguel was ultimately placed in a diversion program where he received mental health treatment and other services. However, because ICE regards even diversion programs as convictions for immigration purposes, Miguel was unable to renew his Temporary Protected Status.

Earlier this year, ICE officers accompanied Miguel's probation officer to his apartment and took him into immigration custody. They subsequently tried to deport him without an opportunity to see a judge using an administrative removal order, which authorizes ICE to deport a person without allowing them to see a judge if they have been convicted of an aggravated felony – here, a crime of violence with a sentence of a year or longer. To prevent this from taking place, we worked with Miguel's public defender, who filed a petition to reduce Miguel's official sentence to 364 days. With that order, we were able to vacate Miguel's administrative removal order and secure a full hearing before the immigration court. In that hearing, we filed a motion to suppress and terminate based on Miguel's unlawful arrest by ICE in conjunction with the probation check; unfortunately, but not surprisingly, the immigration judge denied the motion. We are now pursuing a claim for asylum and related relief, which we hope will result in his release from detention and a stable immigration status.

### Bond Cases

#### Case #1

One family in particular has benefited from Advancing Justice-LA's work under the LA Justice Fund. This family is Chinese-Panamanian; the parents emigrated separately from China and met in Panama, where they had four children. The entire family then moved to the United States and were undocumented for many years. Our client, the mother in this family, was unfortunately put into removal proceedings after being caught at a border checkpoint in 2016. One of her daughters, who received DACA assistance from Advancing Justice-LA, was able to post her bond and our client was released from ICE detention a few weeks later. At this time, the family's youngest son decided to enlist in the army's Military Accessions Vital to the National Interest (MAVNI) program, which recruited him because of his language skills in Chinese. Within six months of being enlisted in the army, the son, a former DACA recipient, was able to become a naturalized U.S. citizen with Advancing Justice-LA's assistance. He subsequently submitted immigration applications for both parents. Our attorney also submitted Motions to Terminate Removal Proceedings and a Motion for Administrative Closure on behalf of his mother. His father received his green card about one year into the Trump administration, and his mother was able to win her deportation case because of her son's petition for her. We are happy to report that just after Christmas 2018, our client finally has her green card and is safe from deportation and from the threat of family separation.

#### Case #2

During Quarter 4, one of CARECEN'S client, under the LAJF, was granted bond. This client had been separated from his family at the border and was able to obtain legal representation due to

## LA Justice Fund: Stories of Impact

the County's amendment to the program after the zero-tolerance family separation policy. Our attorney worked diligently to prepare a bond packet for this client and was successful in winning the bond case. The client was able to secure the bond amount through the help of RAICES. Unfortunately, the client's father, who our attorney also represents, was also granted bond but he does not qualify for RAICES' bond fund. Our attorney is currently preparing him for his merits hearing.

### Case #3

CHIRLA's supervising attorney in the Removal Defense Team successfully obtained bond for a LAJF client that has lived in the U.S. for over 15 years and has strong ties to this country. The client had been detained at a military base after making a wrong turn and then knowing he was undocumented.

### Case #4

LAJF client "Alex" has resided in Los Angeles since 2007, when he arrived as a fourteen-year-old child. Alex graduated from high school and enrolled in community college after graduation. In 2012, he was granted Deferred Action for Childhood Arrivals, but the period of deferred action expired in 2017. That same year, Alex began to work as an informant for a law enforcement Agency. Shortly after, he violated the terms of his probation for a prior misdemeanor conviction. After serving two-and-a-half months in county jail, Alex was detained by ICE, transferred to the Adelanto Detention Facility, and placed in removal proceedings. Represented by LAJF attorney Jackie Aranda, Alex successfully argued that based on his strong ties to the community and his work for the law enforcement agency, he was neither a flight risk nor a danger to the community. He was released from custody on a \$5,000 bond. Public Counsel, with LAJF support, continues to represent Alex in his removal proceedings on the non-detained docket of the Los Angeles Immigration Court.