

# Immigration Legal Services in California: A Time for Bold Action

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**Grantmakers Concerned with Immigrants and Refugees**



**Prepared by:**

**Resource Development Associates**

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# **Immigration Legal Services in California: A Time for Bold Action**

**Grantmakers Concerned with Immigrants and Refugees, November 2019**

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## **About this Report**

Grantmakers Concerned with Immigrants and Refugees (GCIR) holds a commitment to the inherent value of every human being and a vision of the United States that offers hope and opportunity for all. In this affirmative vision, immigration legal services are a vital component of a larger ecosystem of long-term strategies to protect immigrants, refugees, and asylum seekers, and advance equity and inclusion. Recognizing the intensifying legal service needs of immigrant communities and legal service providers, GCIR and the California Immigrant Integration Initiative (CIII) launched a study to understand the capacity of immigration legal services in California and generate recommendations for strategic philanthropic investment. This report was commissioned with support from San Francisco Foundation, Zellerbach Family Foundation, California Community Foundation, The Grove Foundation, James and Gretchen Sandler Philanthropic Fund, van Löben Sels/Rembe Rock Foundation, Silicon Valley Community Foundation, Y & H Soda Foundation, and Marin Community Foundation.

## **About the California Immigrant Integration Initiative**

The California Immigrant Integration Initiative is a network of statewide, regional, and local funders from across California that facilitates funder engagement, funding coordination and alignment, and member-led initiatives on specific issues, geographies, and strategies.

## **About Resource Development Associates**

GCIR contracted Resource Development Associates (RDA) to design and conduct a mixed methods study to understand current capacity and gaps in legal services for immigrants and refugees across California. RDA is a mission-driven consulting firm based in Oakland, California, that serves government and nonprofit organizations throughout California as well as other states. Our mission is to strengthen public and nonprofit efforts to promote social and economic justice for vulnerable populations. RDA supports its clients through an integrated approach to planning, grant-writing, organizational development, and evaluation.

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# Executive Summary

**Responsive and affordable immigration legal services are a lifeline to safety and stability for immigrants and asylum seekers.**

California is home to almost 11 million immigrants, making up over a quarter of the state's population.<sup>1</sup> Individuals and families who are undocumented or have precarious legal status need support to obtain and safeguard legal protections that promote their security and wellbeing. U.S. law does not guarantee the right to government-funded counsel in immigration proceedings, yet legal representation has been identified as the single most important factor for determining deportation outcomes.

**The longstanding gap between need and availability of immigration legal services has grown as a result of recent federal policy changes that undercut fundamental procedures and legal supports to immigrant groups.** Despite recent increases in resources for immigration legal services, there remains a deep and pressing need to build the long-term capacity of immigration legal services to continue to respond to changing political environments.

**Through agile and innovative funding approaches, philanthropy is a key partner with public agencies to help legal service organizations adapt to the evolving landscape of U.S. immigration law along with the layered needs of immigrants.** Knowing that having legal status confers a level of wellbeing and opportunity that extends beyond merely the legal arena, funders across sectors such as economic and community development, children and family services, and public health can join traditional immigration-related funders to help bolster legal protections.

*This report offers recommendations to strengthen immigration legal services in California for immigrants and asylum seekers. The report draws from 20 interviews with executive-level staff from legal service organizations and 80 responses to an online survey of a broad range of immigration legal service providers across the state.*

## Crosscutting Findings

The following issues represent key barriers that immigration legal service providers in California face across regions and organization types. Please see the full report for key findings by region.

## Legal Service Types and Scope

- 1. There is a high unmet need for immigration legal services, which has been exacerbated by the current immigration policy context.** Unmet need for immigration legal services spans geographic areas and demographic groups. Most organizations reported that their caseloads have steadily increased over the past three years, with almost half reporting that their caseloads doubled in the last fiscal year. Most also responded that there are more potential clients seeking services than their organizations can assist.

<sup>1</sup> Public Policy Institute of California. (2018). Immigrants in California. <https://www.ppic.org/publication/immigrants-in-california/>

2. **The services with the greatest need are also the most resource intensive and the least available.** The biggest increase in need for legal services over the past three years has been for full representation in deportation cases, which was also ranked as one of the most time and resource intensive legal services. Despite this need, less than two-thirds of organizations reported providing full representation for deportation cases and most of those organizations reported that they met less than half of the need for those services.
3. **The current policy climate has intensified the need for psychosocial supports and case management for clients receiving legal services.** Heightened immigration enforcement, detention, family separation, and the threat of deportation have compounded the stress and trauma experienced by immigrants and asylum-seekers. As a result, there is an increased need for social services, housing, and mental health services to support clients' financial and emotional wellbeing.

### Staff Training and Resources

4. **Organizations experience difficulty recruiting and retaining qualified immigration attorneys, which hinders efforts to scale services.** The need for qualified attorneys stems from both a shortage of immigration attorneys in the workforce, as well as barriers to staff retention. Providers reported that the risk of burnout for legal staff and attorneys has increased due to a combination of secondary trauma and heavy workloads.
5. **The need to keep up with and respond effectively to shifting immigration policy adds strain to organizations' ability to meet increased demand for services.** Given the steep learning curve on complex legal cases, more frequent and intensive supervision has been essential for effective case representation. As fewer cases are being resolved out of court, organizations need to provide closer support to attorneys who may not be experienced in providing full representation. Providers report that increasingly hostile immigration policies and court environments require robust legal strategies to protect and benefit their clients.
6. **Networks to coordinate services and share resources have helped bolster organizations' capacity to provide services.** Networks that centralize and coordinate referral pathways have been effective in reducing the burden on individual organizations to screen, refer, and serve clients. Networks of direct service providers also play an important role in communicating real-time experiences to organizations involved in impact litigation and advocacy efforts.

### Organizational Management

7. **Many organizations are rapidly scaling services, while also confronting financial uncertainty and limited expertise in organizational management.** Augmented funding combined with rising need for services has left providers experiencing a tension between the opportunity to scale services and the fear of a looming contraction of funding in the near future. As a result of scaling and staff shortages, organizational leadership have often been thrust into new roles and would benefit from capacity building in organizational management.

## Recommendations

Philanthropy has a unique opportunity to coordinate with public funders and community-based partners to build an immigration legal service system that is responsive and sustainable. The recommendations herein include strategies for building the organizational capacity of immigration legal service organizations, as well as strategies to bolster immigration legal services within the larger ecosystem of efforts to advance equity and inclusion for immigrants, refugees and asylum-seekers.

### Recommendations to Strengthen Immigration Legal Services

#### Grow a Diverse Provider Pool

1. **Support a pipeline of culturally responsive and bilingual immigration attorneys and accredited representatives.** There is a pressing need for more attorneys and Department of Justice (DOJ)-accredited representatives, with particularly stark gaps in the area of deportation defense. Meeting this need will require both medium- and long-term strategies to cultivate a pool of immigration legal providers, particularly among youth and individuals from immigrant communities. Recommended strategies include:
  - Identification of immigration legal service delivery models and staffing
  - Sponsorship of law school and post-graduate tuition and fellowships
  - Support for DOJ-accreditation process
  - Outreach and financial assistance at the high school and undergraduate level

#### Promote Coordination to Maximize Impact

2. **Augment collaborative efforts to develop technical capacity and ensure that existing practitioners are informed and prepared to serve clients.** Current attorneys and DOJ-accredited representatives must be able to provide reliable and effective legal services amidst rapidly changing and increasingly complex immigration policies. The development of streamlined knowledge and skill exchanges can contribute to rapid dissemination and adoption of effective legal strategies. Recommended strategies include:
  - Expanded capacity-building grants
  - Formalized networks for sharing knowledge and resources
  - Creative approaches to provide needed supervision and training to attorneys and DOJ-accredited representatives
3. **Continue to fund initiatives that promote coordinated service delivery.** Currently, most immigration legal service organizations operate independently and are overwhelmed with referrals. Funders have an opportunity to support coordinated and cross-sector service delivery models, which have been effective in some regions already. Recommended strategies include:
  - Expansion of service networks that centralize intakes and referrals
  - Grants for collaboratives of organizations
  - Promotion of cross-sector approaches to service delivery

## Augment Organizational Capacity and Wellness

- 4. Enrich health and wellness strategies for staff.** Secondary trauma and low morale pose an increasing threat to maintaining a healthy organization. As the need for psychosocial supports grows in the client population, there is a corresponding increase in the need for mental health support for staff. It is crucial that funders consider staff mental health and well-being when making grants as integral to programmatic work and consider how to integrate this into funding more systematically. Recommended strategies include:
  - Organizational wellness promotion and support services
  - Trainings to support staff and organizational well-being
  - Law school curriculum focused on secondary trauma and wellness
- 5. Expand resources for professional development for leaders and managers.** In order to provide high quality services and encourage staff retention, leadership of immigration legal service nonprofits need the skills to manage rapidly growing organizations, provide high quality staff supervision, and oversee organizational operations and finances. Recommended strategies include:
  - Access to existing nonprofit management training programs
  - Custom training for leaders and managers
  - Leadership coaching and mentorship

## Recommendations for Strategic Grantmaking

- 6. Align funding to organizational capacity needs.** Supporting nimble responses to evolving immigration legal service needs calls for foundations to increase flexibility and alignment of programmatic and administrative funding requirements. Foundation boards of directors may benefit from training about how the recommendations herein can meet the needs of grantees without sacrificing accountability. Recommended strategies include:
  - Alignment of funding with true costs
  - Operational capacity funding
  - Multi-year grants
  - Alternative funding structures for legal caseloads
  - Relaxed reporting requirements
- 7. Support collaboration among funders and partners.** To make the most of philanthropic investments, funders should regularly communicate to share knowledge, encourage innovating thinking, and leverage one another's resources. Recommended strategies include:
  - Coordination among foundations
  - Coordination between philanthropy and state funders
  - Cohesive strategy with service providers and grassroots groups
  - Funding for research and evaluation to continually inform decision-making

# Introduction

**Responsive and affordable immigration legal services are a lifeline to safety and stability for immigrants and asylum seekers.** California is home to almost 11 million immigrants, making up over a quarter of the state's population.<sup>2</sup> Individuals and families who are undocumented or have precarious legal status need support to obtain and safeguard legal protections that promote their security and wellbeing. Having legal status not only expands access to jobs, health care, and educational opportunities; it also keeps families together, builds trust in public institutions, and creates conditions where immigrants can participate more fully in our society. The continuum of immigration legal services encompasses information and referrals regarding one's legal rights, options, and processes; support with applications for asylum or other protected status<sup>3</sup>; and legal representation for asylum or deportation cases.<sup>4</sup> In addition to direct services for individuals and families, the immigration legal services field includes organizations that provide technical assistance and training on legal processes and legislation, as well as impact litigation, which uses legal avenues to change immigration policy.

**U.S. law does not guarantee the right to counsel in immigration proceedings, yet legal representation has been identified as the single most important factor for determining deportation outcomes.** The U.S. immigration legal system is vastly complex and ever changing. Within the bureaucratic system, immigrants and asylum seekers must navigate countless delays, expenses, and threats to their legal status. In an analysis of Executive Office for Immigration Review (EOIR) case records of immigrant women with children, Syracuse University researchers found that only two percent of individuals without representation were allowed to stay in the U.S., whereas 33 percent of individuals with representation were allowed to stay.<sup>5</sup> The same study found that immigration judges denied cases for 90 percent of asylum seekers without representation, whereas the odds of denial for asylum seekers with legal representation was 48 percent.<sup>6</sup>

*Legal representation has been identified as the single most important factor for determining deportation outcomes.*

**Immigration legal service providers in California face rising pressures.** The longstanding gap between need and availability of immigration legal services has only grown as a result of recent federal immigration policy changes. Exacerbating a trend of rising deportations that began before the current administration, the number of individuals and families placed in deportation proceedings in California

<sup>2</sup> Public Policy Institute of California. (2018). Immigrants in California. <https://www.ppic.org/publication/immigrants-in-california/>

<sup>3</sup> Examples of protected status include: T Visa for victims of trafficking, U Visa for victims of domestic violence, sexual assault, felonious assault, trafficking, and other serious crimes, relief under the Violence Against Women Act (VAWA) for victims of domestic violence married to U.S. Citizens or permanent residents, Special Immigrant Juvenile Status (SIJS) for child victims, or continued presence for victims of trafficking.

<sup>4</sup> See the Methods section below for a description of legal service types included in this report.

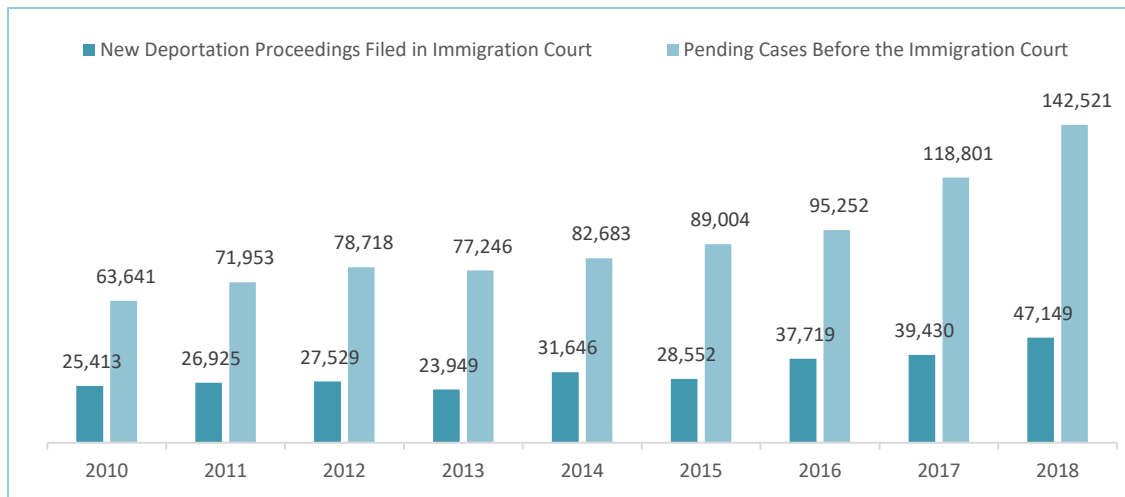
<sup>5</sup> TRAC Reports, Inc. Representation Makes Fourteen-Fold Difference in Outcome: Immigration Court "Women with Children" Cases. July 15, 2015. <https://trac.syr.edu/immigration/reports/396/>

<sup>6</sup> TRAC Reports, Inc. Continued Rise in Asylum Denial Rates: Impact of Representation and Nationality. December 13, 2016. <https://trac.syr.edu/immigration/reports/448/>



immigration courts continues to increase (see Figure 1). Recent federal policies undercut fundamental procedures and legal supports to immigrant groups, including but not limited to newly-arrived immigrants, undocumented immigrants, immigrants in the workforce, and immigrants from certain countries of origin.<sup>7</sup> The effects of this moment will extend and expand the need for immigration legal services far into the future.

**Figure 1. Cases for Individuals with Immigration-related charges in California Immigration Courts by Fiscal Years 2010-2018**



Source: Transactional Records Access Clearinghouse (TRAC) Immigration Court Backlog Tool<sup>8</sup>

**The capacity needs of California immigration legal services remain vast and urgent.** State and local policymakers, philanthropy, and the nonprofit sector have partnered to address mounting pressures on direct immigration legal services, and funders have made strides to increase the number of legal staff, especially in rural areas. Despite recent increases in state resources, there remains a deep and pressing need to build the long-term capacity of immigration legal services to continue to respond to changing political environments.

*To build a sustainable immigration legal service system in California, it is crucial for funders to understand the capacity gaps that immigration legal services confront.*

<sup>7</sup> See [https://ballotpedia.org/Timeline\\_of\\_federal\\_policy\\_on\\_immigration,\\_2017-2020](https://ballotpedia.org/Timeline_of_federal_policy_on_immigration,_2017-2020) for a detailed timeline of federal policy on immigration from 2017-2019.

<sup>8</sup> TRAC, a project of Syracuse University, analyzes Immigration Court records obtained through Freedom of Information Act Requests. Does not include individuals with criminal, national security, or terrorism charges. Pending cases refer to Immigration Court proceedings that remain open at a given point in time. Pending case counts are computed per fiscal year based on a count on the last day of each fiscal year. See: <https://trac.syr.edu/>.

**Philanthropy has an opportunity to leverage public-private partnerships and improve outcomes for immigrants and legal service providers.** Through agile and innovative funding approaches, philanthropy is a key partner with public agencies to help legal service organizations adapt to the layered needs of immigrants. Knowing that having legal status confers a level of wellbeing and opportunity that extends beyond merely the legal arena, funders across sectors such as economic and community development, children and family services, and public health can join traditional immigration-related funders to help bolster legal protections.

*Supporting California's immigrant communities is vital to our collective freedom and wellbeing. If ever there was a time to invest in legal protections for immigrants, it is now.*

## About This Report

This report focuses on the capacity of direct immigration legal services in California for individuals and families who are undocumented or have precarious legal status, including individuals who are seeking asylum, individuals who may have provisional legal status, and individuals who may have criminal convictions. This report builds on and updates a 2008 GCIR report commissioned by the Zellerbach Family Foundation that focused on immigration legal service capacity in Northern California.<sup>9</sup> The following sections present the assessment methodology, key findings across and within regions, and recommendations for how philanthropy can most effectively partner with public agencies to support immigration legal services in California.

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<sup>9</sup> Grantmakers Concerned with Immigrants and Refugees. (2008). The Need to Expand Immigration Legal Services in Northern California.

# Methods

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## Overview

From April to October 2019, Resource Development Associates (RDA) worked with GCIR and a Project Advisory Committee in a collaborative and iterative process to develop data collection tools, identify key stakeholders, validate key findings, and generate recommendations (see Appendix B for a list of Advisory Committee members).

## Data Sources

RDA reviewed several existing reports and data sources to obtain contextual information about the current state of immigration policy, patterns, and funding in California. To gather primary data, RDA carried out key stakeholder interviews and an organizational survey, described below.

## Key Stakeholder Interviews

RDA conducted 20 telephone interviews with executive-level staff from legal service organizations that specialize in immigration, community-based and advocacy organizations that focus on immigrant and refugee communities, and public agencies. These interviews focused on:

- *The current state* (types of legal services available);
- *The desired state* (the optimal or ideal landscape of legal services);
- *The unmet need* (whether due to absence of services, limited capacity of existing services, or both); and
- *Recommendations* (opportunities, innovations, and models that exist elsewhere or could be developed to meet the need).

Interviewees were selected to reflect a diversity of regions, services provided, and population types. In addition to legal service providers in California, RDA also conducted two interviews with funders in other states to learn about promising and recommended practices for funders. See Appendix C for a full list of interview participants.

## Organizational Capacity Survey

To gather information from a larger audience than the key stakeholder interviews, RDA administered an online survey to a broad range of immigration legal service providers across the state. The survey covered the following topics:

- *Services provided* (region served, population(s) served, types of legal services provided)
- *Organizational capacity* (number of staff, languages spoken, funding sources, budget)
- *Perceptions of the key legal needs of immigrants and asylum-seekers* (e.g., most common legal services needed, at what point in the legal process)

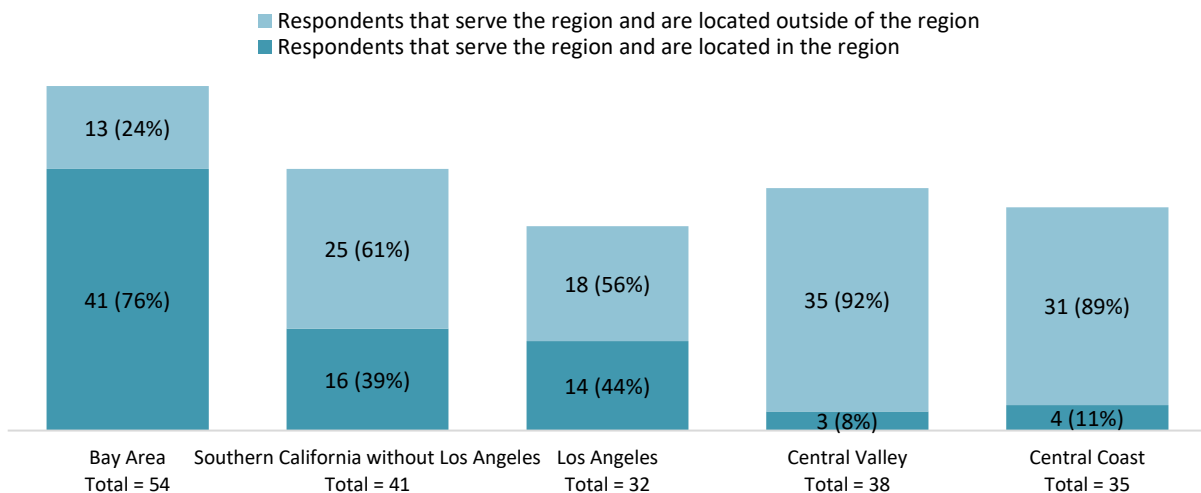
- *Promising practices* (legal services practices that the respondent is aware of, either inside or outside their organization)

GCIR generated a list of 253 organizations compiled by funders to the project, the Project Advisory Committee, and several online legal services databases. The survey was administered via the Survey Gizmo platform for 10 weeks from June through August 2019. Each organization received an e-mail from GCIR with a link to the survey along with weekly reminders. The Project Advisory Committee also conducted individual outreach to organizations in under-represented regions of the state.

## Profile of Survey Respondents

RDA received survey responses from 80 organizations.<sup>10</sup> For the purposes of survey analysis, GCIR and the Project Advisory Committee delineated six service regions: 1) Bay Area, 2) Central Coast, 3) Central Valley, 4) Los Angeles, 5) Southern California without Los Angeles, and 6) North and Mountain.<sup>11</sup> The highest number of responses was from organizations located in the Bay Area, followed by Southern California without Los Angeles (Figure 2). While most offices are geographically located in the Bay Area region, many organizations serve additional regions across the state. In particular, services in the Central Valley and Central Coast regions are commonly provided by organizations outside of that region. See Appendix D for the breakdown of counties and survey respondents by region.

**Figure 2. Count of Survey Respondents based on Regions Served**



<sup>10</sup> The response rate was 32%, which is typical for online surveys (<https://surveyanyplace.com/average-survey-response-rate/>).

<sup>11</sup> No responses were received from organizations located in the North and Mountain region.

## Legal Service Types Included in Report

Based on input from the Project Advisory Committee, the report categorizes immigration legal services in the following service types, which range from a lower to a greater depth of service.

- **Information and referral:** Legal orientations and workshops educating unrepresented clients to make informed decisions before the immigration court (citizenship/civics classes, Legal Orientation Programs, Know Your Rights Presentations); screening, intakes, and referrals of clients to legal representation or resources.
- **Pro se application assistance:** Support preparing and filing documents for unrepresented clients who are applying for relief before the immigration court, in which the client is largely responsible for their own case.
- **Limited representation:** Legal consultations and assistance around filing applications before the immigration court. The provider may prepare and submit motions, petitions, or applications for the client, but they may limit their level of representation with the court (for example, they may not accompany them to an asylum interview).
- **Community based legal clinics:** Clinics in which law school students, pro bono attorneys, or other providers have the opportunity to provide limited to full representation for clients. Clinics may have a walk-in component where individuals receive a private consultation with a volunteer immigration lawyer about their case, and/or help completing forms.
- **Affirmative application filings:** The provider initiates, prepares, and submits applications for relief (may include asylum, T-Visa, U-Visa, VAWA, SIJS or continued presence) for individuals who are not in removal proceedings.
- **Full representation for defensive proceedings:** The provider serves as the representative of record for individuals in removal proceedings, in alignment with regulatory requirements (files a Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court, Form EOIR-28); the provider supports in preparing and defensive filing for the forms of relief before an immigration judge.
- **Full representation for affirmative asylum proceedings:** The provider serves as the representative of record for individuals who are not in removal proceedings, in alignment with regulatory requirements; the provider supports in preparing and affirmative filing for the forms of relief before an immigration judge.
- **Legal services ancillary to immigration proceedings:** In addition to full representation, providers may offer legal guidance and services on matters that extend beyond the client's case before the immigration court; examples include family preparedness planning, power of attorney, and information about dual citizenship and passport application for U.S.-born children in mixed status families.

# Crosscutting Findings

This section summarizes the key findings from survey respondents and interviewees. Across regions and organization types, the issues below represent the most pressing barriers that immigration legal service providers in California face. The findings are organized by the following three categories of need that developed from the assessment:

- Legal Service Types and Scope
- Staff Training and Resources
- Organizational Management

## Legal Service Types and Scope

1. **There is a high unmet need for immigration legal services, which has been exacerbated by the current immigration policy context.**

**Immigration legal service organizations have long struggled to meet the need for services, and the gap between need and availability has only grown as a result of recent federal immigration policy changes.**

- On average, organizations served approximately 2,000 clients in the last year. Most organizations reported that their caseloads have steadily increased over the past three years, with almost half reporting that their caseloads doubled in the 2017-18 fiscal year.
- Eighty-four percent of organizations responded that there are more potential clients seeking services than their organizations can assist. On average, organizations reported that nearly 300 clients were referred on a monthly basis, and 60 were turned away due to lack of capacity. Clients that are placed on a waitlist were delayed an average of six weeks until they are able to receive services.

*"Existing overall immigration legal capacity is still very limited and inadequate... significant gaps exist in every imaginable category."*

-Legal Service Provider

**Interviewees observed that unmet need for immigration legal services spans geographic areas and demographic groups.**

- Organizations clearly conveyed that rural areas lack the funding and infrastructure for service delivery, and very few legal service providers are located in rural areas of the state; this creates substantial barriers to access for immigrants, particularly access to legal representation on complex cases. At the same time, although urban areas typically have more resources and infrastructure for service provision, they remain overwhelmed by the volume of clients seeking services. All survey respondents reported providing services to clients residing in both urban and

rural areas, with the exception of one organization. Slightly over half of organizations reported serving an equal balance of urban and rural counties.

- Expanding the scope and reach of services for rural and geographically isolated groups is a significant resource strain for providers. With the exception of the Bay Area, a majority of organizations that reported serving each region of the state were located outside of the region. Organizations located in both urban and rural areas reported that more and more, attorneys are spending time and resources to travel to detention centers and rural locations to meet with clients. Attorneys in urban centers are deployed to rural locations and detention facilities to lend technical capacity where coverage is sparse, and providers located in rural areas still must cover large distances within their own regions and service areas to provide education, consultations, and follow-up for communities that are less and less mobile due to fear of Immigration and Customs Enforcement (ICE).
- Respondents across regions cited an unmet need for services in many languages, including numerous Asian languages (Cantonese, Korean, Mandarin, Mongolian, Tagalog, Thai, Vietnamese); Indigenous languages and dialects of Mexico and Central America (Mam, Mixteco, Pocomchi, Q'eqchi, Triqui, Zapoteco); Middle Eastern languages (Arabic, Farsi); East African languages (Amharic, Tigrina); Haitian Creole; Russian; and Portuguese. Most organizations are currently able to meet the need for services in Spanish.

## 2. The services with the greatest need are also the most resource intensive and the least available.

**With the upsurge in aggressive and widespread immigration enforcement tactics, the number of individuals requiring full legal representation far exceeds the capacity to meet the need.**

- The biggest increase in need for legal services over the past three years has been for full representation in deportation cases, which was also ranked as one of the most time and resource intensive legal services (see Figure 3). The need for deportation defense has risen due to a greater volume of individuals in deportation proceedings, along with added procedural hurdles that call for deeper representation.
- Despite this need, less than two-thirds of organizations reported providing full representation for deportation cases (50 out of 80 organizations, or 63 percent), and most of those organizations reported that they met less than half of the need for those services (see Figure 4). Interviewees specified that deportation defense for individuals in immigration detention is one of the least available services.

*“The greatest gap is the limited number of organizations that provide removal and defensive legal services free or [at] low cost, especially to hard-to-reach populations [and] for those in detention.”*

-Legal Service Provider

## Grantmakers Concerned with Immigrants and Refugees

### Legal Services Capacity Assessment

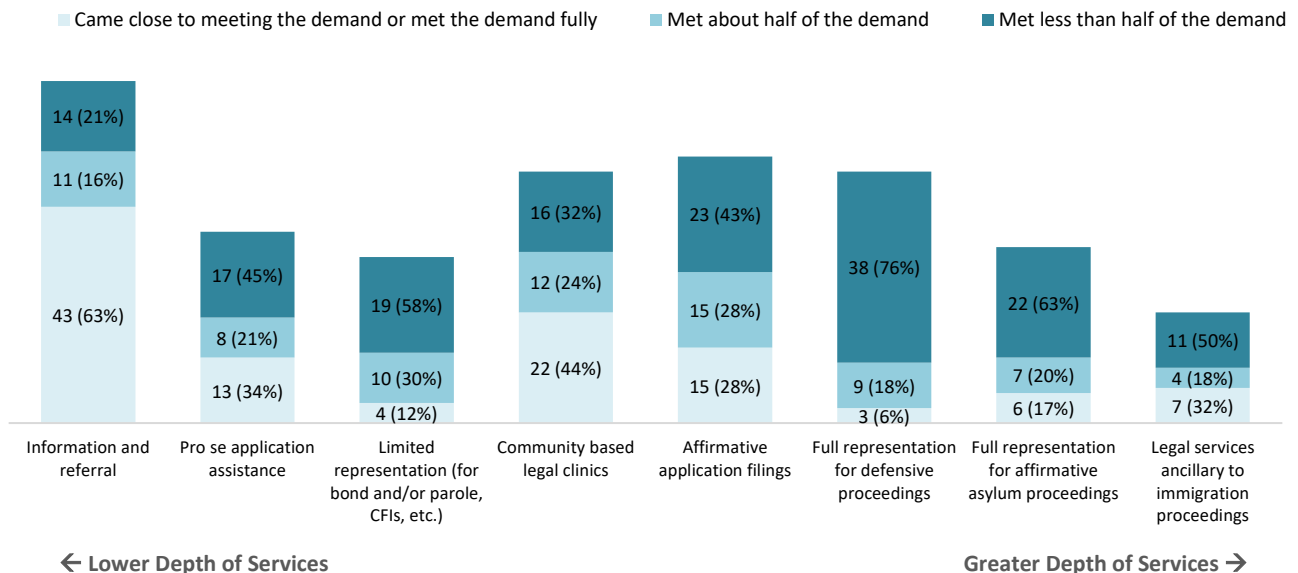
- Affirmative application filing for asylum cases was also identified as one of the services with the greatest growth in need since 2015 and as one of the most resource intensive services.<sup>12</sup> During interviews, providers shared the perception that while asylum application filings and information and referral have historically been less time-intensive services, these services have become more time consuming due to the increasing complexity of immigration cases in the current policy climate and the need to concurrently pursue multiple forms of relief.
- Organizations also reported a greater need for information and referral services in the past three years. While organizations were generally able to meet the need for information and referral (Figure 4), rising fear and uncertainty among immigrant communities has multiplied the total amount of time that organizations dedicate to this service.

**Figure 3. Intensity and Need Based on Scope of Legal Service**

	Most time/ resource intensive	Increase in demand (past three years)	Increase in demand (next three years)
Information and referral	38	29	25
Pro se application assistance	18	16	13
Limited representation (for bond and/or parole, CFIs, etc.)	11	20	22
Community based legal clinics	21	15	16
Affirmative application filings	41	29	32
Full representation for defensive proceedings	37	52	49
Full representation for affirmative asylum proceedings	21	22	22
Legal services ancillary to immigration proceedings	7	12	15

\*Count of organizations that selected each type of service in their top three ranked choices

**Figure 4. Count of Organizations Providing Services, Organized by Depth of Services and Need Met**



<sup>12</sup> Affirmative application filings refer to applications for humanitarian relief (most often asylum) that are submitted by individuals before US Citizenship and Immigration Services, in advance of their being placed in deportation proceedings.



**3. The current policy climate has intensified the need for psychosocial supports and case management for clients receiving legal services.**

**Heightened immigration enforcement, detention, family separation, and the threat of deportation have compounded the stress and trauma experienced by immigrants and asylum-seekers.**

- High levels of trauma affect client populations due to the conditions and/or critical incidents in their country of origin, difficulty during their journey to U.S., and detention on the U.S./Mexico border. Organizations reported that they most commonly serve vulnerable groups such as low income individuals and families, immigrant women with children, survivors of trafficking or domestic violence, older adults, and unaccompanied children.
- Social services, housing, and mental health services are essential to support clients' financial and emotional wellbeing as immigration cases commonly take longer and individuals and families remain on the precipice of deportation, cannot work legally, or are ineligible for public benefits.
- As more and more immigration legal service clients experience mental health challenges, organizations incur additional time and costs to request and submit psychological evaluations for clients.
- Providers reported that communities are at capacity to house and support unaccompanied children and there is an increasing number of children without an adult willing to sponsor them. As such, children and youth are experiencing prolonged periods of instability and increased need for behavioral health, housing, and education support services.
- In context of this growing need, legal service organizations are recognizing the benefit of offering in-house social services. Survey respondents were split in thirds as far as their organizational provision of social services: one-third provide exclusively legal services, one-third provide comprehensive legal and social services in-house, and one-third provide in-house legal services with social services offered in partnership with external providers/programs.

*"With the [case] backlogs, we see a high need for client support with non-legal services—counseling, family counseling, education—and a [need for] a trauma-informed approach to our work. We're digging up their trauma as we work on their case."*

—Legal Service Provider

## **Staff Training and Resources**

**4. Organizations are experiencing difficulty recruiting and retaining qualified immigration attorneys, which hinders efforts to scale services.**

**The need for qualified attorneys stems from both a shortage of immigration attorneys in the workforce, as well as barriers to staff retention.**

## Grantmakers Concerned with Immigrants and Refugees Legal Services Capacity Assessment

- Eighty-four percent of organizations ranked the lack of legal staff as one of their top three barriers to serving clients (see Figure 5). While some organizations have bolstered their capacity by obtaining Department of Justice (DOJ) accreditation for non-attorney staff, interviewees reported that DOJ-accredited representatives do not have the necessary expertise to provide full representation on a growing number of complex legal cases.
- Staff hiring and retention has become progressively more difficult in the current policy and economic climate. The cost of living in California and the opportunity for higher wages in other sectors of legal practice present major challenges to staff retention. Nearly 60 percent of organizations ranked the inability to offer competitive salaries as a top barrier to their capacity to serve clients (Figure 5).

*"We have been building capacity by obtaining DOJ recognition and having all legal staff get accredited; however, having only one attorney was insufficient for our caseload. It took us over two years to find a bilingual and experienced attorney to join our team."*

-Legal Service Provider

**Figure 5. Top Barriers to Serving Clients\***



*\*Count of organizations that ranked each issue as one of the top three factors that limit capacity to meet clients' needs*

**The volume and intensity of immigration work in this current climate have led to increasingly difficult working conditions that further challenge the retention and recruitment of qualified staff.**

- Providers reported that the risk of burnout for legal staff and attorneys has increased due to a combination of secondary trauma and heavy workloads. As the psychosocial needs of clients increase, so does the risk of secondary trauma for legal staff. Increased stress and burnout can lead to high staff turnover as well as increased conflict and communication challenges in the

workplace. Presently there is a need to better understand and address these needs within the legal service sector, both at the individual and organizational level.<sup>13</sup>

- Legal staff often take on numerous responsibilities beyond legal services, which expands their workload. For example, managing attorneys frequently assume organizational management tasks such as budgeting and fundraising. In organizations that do not have case managers or administrative staff, staff attorneys often handle these responsibilities.

*“Many people with experience are quitting due to burnout [and] secondary trauma exacerbated by the volume of work.”*

-Legal Service Provider

**5. The need to keep up with and respond effectively to shifting immigration policy adds strain to organizations’ ability to meet increased demand for services.**

**Many organizations struggle to provide sufficient supervision, training, and resources for legal staff and volunteers.**

- Given the steep learning curve on complicated legal cases, more frequent and intensive supervision has been essential for effective case representation. As fewer cases are being resolved out of court, organizations need to provide closer support to attorneys who may not be experienced in providing full representation. As mentioned above, pro bono attorneys often lack specialized training in immigration law, and thus require close supervision and training to manage cases.
- Interviewees reported the need for expanded technical capacity to respond to rapidly changing federal processes and policies that threaten their client population. Emerging areas mentioned by interviewees include changes to public charge criteria, post-conviction relief, and family law.
- Providers report that increasingly hostile immigration policies and court environments require robust legal strategies to protect and benefit their clients. This may require consultation with family law experts and post-conviction immigration relief—distinct areas of practice that frequently require outside expertise and contracting, with costs falling to organizations.

*“A serious issue for the field [is] developing strong supervision and having enough senior attorneys to do that work across organizations. [It is] difficult to find the right balance between new attorneys and senior attorneys to guide them to do effective work. Sufficient supervision is key.”*

-Legal Service Provider

<sup>13</sup> In August 2019, GCIR initiated a study to identify trauma-related challenges facing professionals working with immigrants, refugees, and other populations under attack and potential models and promising practices for supporting those who experience secondary trauma as a result of their work.

**6. Networks to coordinate services and share resources have helped bolster organizations' capacity to provide services.**

**Organizations emphasized the benefits of training and technical assistance and identified a need for additional support for cross-organizational training, building shared tools to disseminate emerging defense strategies, and opportunities to continue and expand coordination of services.**

- Organizations are participating in regional and statewide collaboratives and networks to share resources, technical assistance, and DOJ accreditation oversight to maximize resources and coverage in rural communities. Networks of direct service providers also play an important role in communicating real-time experiences to organizations involved in impact litigation and advocacy efforts.
- Models such as the San Diego Rapid Response Network, which centralize and coordinate a referral pathway, have been effective in reducing the burden on individual organizations to screen, refer, and serve clients. In addition, such models reduce the burden on clients, who are otherwise shuffled between different organizations.
- Oftentimes older, more established agencies support smaller organizations in growing their legal services by subcontracting government funding to them and/or providing mentorships and guidance for running programs through capacity-building grants. These targeted partnerships and collaborations are key to expanding provider capacity and reach at local levels while contributing to growth of the larger legal infrastructure across the state.
- Multiple interviewees cited the desire for additional interagency opportunities for training, coordination, and knowledge exchange. They discussed a need for training to disseminate best practices and strategies within specific areas of immigration law (e.g., detention representation) in addition to training to develop capacity outside of strictly legal skills (e.g., client management support, hiring and developing community liaisons, supervision, and self care strategies).

*"We've kind of disrupted the service delivery model to challenge each provider to have honest conversations about our missions and how we can come together. We're competing for funding and yet trying to recognize that behind it all are people in need. [We are] just having honest conversations, finding where we can meet [to] disrupt the status quo collectively."*

-Legal Service Provider / participant in agency collaborative

## Organizational Management

### 7. Many organizations are rapidly scaling services, while also confronting financial uncertainty and limited expertise in organizational management.

Augmented funding combined with rising need for services has left providers experiencing a tension between the opportunity to scale services and the fear of a looming contraction of funding in the near future.

- State and foundation funding are the most common funding sources for immigration legal service providers. In the past year, state funding made up the largest percentage of organizations' funding (see Figure 6).
- Most organizations reported receiving increased funding from state, local government, and philanthropy over the past three years and have substantially scaled their staff and services to meet the growing need. There is widespread concern about the sustainability of scaled services and added staff, as funding could decrease in the future and lead to a retraction within the immigration legal service sector.

Figure 6. Reported Funding Sources and Percent of Total Funding

Funding source	Count of funding sources identified by each organization	Average % of immigration funding identified from each funding source	Reported growth/decline in funding over the past three years			Anticipated growth/decline in funding over the past three years		
			Decreased	Generally the same	Increased over the past three years	Anticipated decrease	Generally the same	Anticipated increase
State	49	43.7%	2	6	40	5	25	12
Philanthropy, foundation awards or grants	48	34.0%	6	13	29	9	21	13
County	22	25.6%	1	8	13	2	16	5
Federal	21	16.4%	2	16	5	7	11	2
Other	23	16.3%	6	6	8	5	9	6
City/municipal	18	15.9%	0	5	14	3	11	3
Individual donors	31	11.1%	1	12	18	1	16	12
IOLTA	12	7.3%	0	5	6	0	7	3

- When speaking about philanthropic funding, organizations highlighted the success of flexible funding models that support sustainability and effective crisis response. For example, to better support the escalating backlog of cases that are now protracted over multiple years, organizations benefit from longer grant cycles and funding for a target active caseload number rather than a target number of clients served per year.

**As a result of rapid scaling and staff shortages, organizational leadership have often been thrust into new roles and would benefit from capacity building in organizational management.**

- Oftentimes, practicing attorneys are promoted into leadership positions, but may not have received training in organizational management.
- Organizational leadership need both technical skills such as budget management and fundraising, as well as soft skills such as staff supervision and management.

*"We've grown relatively slowly on purpose—we've been cautious because of hiring and space [challenges]. Organizations that have scaled up significantly are struggling. But it's hard when you have waitlists to not want to hire people."*

-Legal Service Provider

## Regional Findings

This section highlights key findings and distinguishing factors by region based on the results of the organizational survey and key informant interviews. Additional regional information including detailed analysis of the survey results is provided in the regional profiles located in Appendix A.

### Bay Area

- **Proximity of Services:** Among surveyed organizations that reported serving the Bay Area, approximately three-quarters (76 percent) are located in the Bay Area.
- **Funding:** Philanthropy is the most common source of funding for immigration legal services provided by organizations serving the Bay Area, followed by state funding. However, among organizations receiving each type of funding, state funding made up a larger average share of organizations' immigration legal services funding, indicating that the state is providing somewhat larger grants than philanthropy.
- **Service Delivery Capacity:** Interviewees shared a perception that the Bay Area has more robust removal defense services than other regions, with mention of the positive impact of case representation support provided by the San Francisco Public Defender. However, Bay Area organizations that participated in the survey reported equal to greater difficulty meeting demand for these services than the other regions. Though difficulty retaining legal staff was mentioned across all regions related to a number of factors including difficulty providing competitive salaries, Bay Area organizations in particular emphasized the difficulty associated with cost of office space and cost of living. Compared to other regions, organizations serving the Bay Area more commonly provide comprehensive services (both legal and social services) in-house.

### Los Angeles

- **Proximity of Services:** Among surveyed organizations that reported serving Los Angeles, 44 percent are located in the region.
- **Funding:** Similar to the Bay Area, immigration legal services in organizations serving Los Angeles County (LA) are most frequently funded by the state and philanthropy, with state funding comprising a slightly larger share of funding among organizations receiving each type of funding.
- **Service Delivery Capacity:** Providers observed that while there is the perception of a developed and robust service infrastructure in LA, the ratio of providers to undocumented individuals is lower in this region than the other regions in the state. Survey results also indicated a large scale of need in the region. Of all regions, organizations serving LA reported the lowest capacity to meet the demand for full representation services. LA region providers on average served about 600 more clients per year than the Bay Area and still turned away an average of 101 clients per month due to capacity gaps.



### Southern California without Los Angeles

- **Proximity of Services:** Among surveyed organizations that reported serving Southern California without LA, 39 percent are located in the region.
- **Funding:** Similar to LA, organizations serving other areas of Southern California indicated that state and philanthropy funding are the most common funding sources for immigration legal services, and that state funding makes up a slightly larger average share of immigration legal services funding.
- **Service Delivery Capacity:** Given their proximity to the U.S.-Mexico border, organizations located in this region reported the most clients annually on average, received the highest number of monthly referrals, and placed the highest number of clients on waiting lists when compared to the other regions. Recently arrived individuals on the border typically have elevated humanitarian needs that challenge existing infrastructure and affect the delivery of legal services and outcomes of cases.

### Central Valley

- **Proximity of Services:** Among surveyed organizations, only three organizations that reported serving the Central Valley are located in the region.
- **Funding:** In contrast with larger regions, immigration legal services in organizations serving the Central Valley are most commonly funded by philanthropy and individual donors. However, organizations serving the Central Valley reported that these sources made up a relatively small percentage of their immigration legal services funding. While comparatively fewer organizations reported receiving IOLTA funding, these made up a larger share of their immigration legal services funding.
- **Service Delivery Capacity:** Through surveys and interviews, providers acknowledged that while there is a dearth of deportation defense capacity statewide, the gap is particularly acute in the Central Coast, Central Valley, and Inland Empire. Organizations reported that travel costs and staff time required to deliver services in remote communities are significant barriers to service provision and can deter involvement of partnering agencies and volunteers. There are gaps in serving farmworker communities and clients are reluctant to travel any distance for consultations, workshops, or other services due to fear of ICE. Organizations also shared that there is little local capacity to represent individuals in removal proceedings and limited response capacity when ICE raids occur.

### Central Coast

- **Proximity of Services:** Among surveyed organizations, only four organizations that reported serving the Central Coast are located in the region.
- **Funding:** Unlike the neighboring Central Valley, providers serving the Central Coast indicated that philanthropy and the state are the most common funding sources for immigration legal services. The Central Coast was the only region where, on average, foundation grants make up the largest proportion of organizations' immigration legal service funding.
- **Service Delivery Capacity:** Through surveys and interviews, providers acknowledged that while there is a dearth of deportation defense capacity statewide, the gap is particularly acute in the Central Coast, Central Valley, and Inland Empire. Organizations serving the Central Coast reported the longest average time that clients spend on a waitlist before receiving services.



# Recommendations for Funders

Philanthropy has a unique opportunity to coordinate with public funders and community-based partners to build an immigration legal service system that is responsive and sustainable. The recommendations below include short- and medium-term strategies for building the organizational capacity of immigration legal service organizations, as well as longer-term strategies to bolster the field of immigration legal services within the larger ecosystem of efforts to advance equity and inclusion for immigrants, refugees and asylum-seekers. While this report does not address impact litigation and advocacy, both are important components of an overall strategy to expand protections for vulnerable groups. Together with public funders, immigration legal service providers, and movement and advocacy partners, philanthropy can advance a coordinated strategy to support immigrant families' safety and stability and, in doing so, contribute to our collective wellbeing.

## Guiding Principles for Recommendations

- **Value of Immigration:** Immigration is a positive force for our country grounded in a commitment to the inherent value of every human being and a vision of the United States that offers hope and opportunity for all.
- **Bold Action:** The urgency of this moment requires funders to take risks—to try strategies that may require adaptation to learn what is most successful.
- **Collaboration:** To maximize impact, it is essential to cultivate collaboration among foundations, with the state, and with the immigration legal services field.

## Recommendations to Strengthen Immigration Legal Services

The first set of recommendations focuses on specific strategies to build the immigration legal service system in California.

### Grow a Diverse Provider Pool

1. **Support a pipeline of culturally responsive and bilingual immigration attorneys and accredited representatives.** There is a pressing need for more attorneys and DOJ-accredited representatives, with particularly stark gaps in the area of deportation defense. Meeting this need will require both medium- and long-term strategies to cultivate a pool of immigration legal providers, particularly among youth and individuals from immigrant communities. Recommended strategies include:
  - **Identification of immigration legal service delivery models and staffing.** To inform decisions around the immigration legal services pipeline, it will be important to define the optimal division of roles and responsibilities between attorneys and DOJ accredited representatives. For example, funders may support further research and conversations with immigration legal service providers

to gain a deeper understanding of the types of services that attorneys vs. DOJ accredited representatives can and should provide.

- **Sponsorship of law school and post-graduate tuition and fellowships.** Provide financial incentives to attend law school, including funding summer placements, post-graduate fellowships, and loan repayment assistance programs.
- **Support for DOJ-accreditation process.** Provide financial support to organizations to train and pursue DOJ accreditation for immigration representatives.
- **Outreach and financial assistance at the high school and undergraduate level.** Increase exposure to immigration law for high school and undergraduate students, including education about public interest law tracks and paid summer internships. Approaches should emphasize developing opportunities and educational pathways that specifically target individuals from immigrant communities.

## Promote Coordination to Maximize Impact

2. **Augment collaborative efforts to develop technical capacity and ensure that existing practitioners are informed and prepared to serve clients.** Current attorneys and DOJ-accredited representatives must be able to provide reliable and effective legal services amidst rapidly changing and increasingly complex immigration policies. The development of streamlined knowledge and skill exchanges can contribute to rapid dissemination and adoption of effective legal strategies. Recommended strategies include:

- **Expanded capacity-building grants.** Continuing to fund and expand upon capacity-building grants would enhance the resources available for cross-agency mentorship, technical assistance, and model replication.
- **Formalized networks for sharing knowledge and resources.** While organizations like the Immigrant Legal Resource Center (ILRC) and National Immigration Law Center (NILC) serve as key resources for technical assistance on immigration law, there are opportunities to increase information sharing and efficiency by formalizing networks of direct services organizations (e.g., among grassroots organizations in a particular region) to engage in peer learning and develop and disseminate resources.
- **Long-term efforts to expand innovative and collaborative technology across organizations.** Small and large legal services organizations have limited resources to invest in new technology tools or upgrade their systems. Allocating funding resources to invest in ongoing and long-term efforts to implement technology would include training staff to use platforms, maintaining and upgrading software and routine refinement and iteration of tools and systems to efficiently carry out their work.
- **Creative approaches to provide needed supervision and training to attorneys and DOJ-accredited representatives.** Given the struggle to build infrastructure for intensive and frequent supervision on legal cases, organizations—particularly smaller organizations—may benefit from

a centralized model of supervision similar to approaches used in social work training programs. For example, cohorts of legal fellows or staff could receive supervision from a dedicated staff person located outside of the organization, and supervision could leverage the use of technology (i.e., “tele-supervision”) for newer cohorts to share expertise and build connection.

3. **Continue to fund initiatives that promote coordinated service delivery.** Currently, most immigration legal service organizations operate independently and are overwhelmed with referrals. Funders have an opportunity to support coordinated and cross-sector service delivery models, which have been effective in some regions already. Recommended strategies include:
  - **Expansion of service networks that centralize intakes and referrals.** Replicating and expanding models such as the San Diego Rapid Response Network and the Northern California Collaborative for Immigrant Justice (NCCIJ) could improve coordination among agencies and improve outcomes for clients.
  - **Access to secure digitized shared information across the state.** Widespread application of secured digitized information would allow for proper resource allocation amongst multiple legal service organizations that may currently only be benefiting single organizations. Funders can invest in the development of technology tools and take advantage of new innovations to promote sharing and efficiencies across grantee organizations throughout the state.
  - **Grants for collaboratives of organizations.** To promote innovation and interagency coordination, funders may consider initiatives or grants that fund collaboratives of organizations (e.g., in a particular region) rather than only individual organizations.
  - **Promotion of cross-sector approaches to service delivery.** To increase access to much-needed psychosocial supports, funders may consider initiatives or grants that fund additional case management positions housed within legal service agencies and promote increased collaboration between legal service agencies and outside social service providers, behavioral health providers, migrant rights groups, and indigenous groups.

## Augment Organizational Capacity and Wellness

4. **Enrich health and wellness strategies for staff.** Secondary trauma and low morale pose an increasing threat to maintaining a healthy organization. As the need for psychosocial supports grows in the client population, there is a corresponding increase in the need for mental health support for staff. It is crucial that funders consider staff mental health and well-being when making grants as integral to programmatic work and consider how to integrate this into funding more systematically. Recommended strategies include:<sup>14</sup>
  - **Organizational wellness promotion and support services.** Organizations will benefit from promoting and providing resources for supportive services and tools such as counseling, massage therapy, acupuncture, expressive arts, and other healing modalities.

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<sup>14</sup> GCIR is in the process of undertaking a targeted assessment of secondary trauma among immigration service providers. The upcoming report will provide more detailed recommendations.

- **Trainings to support staff and organizational well-being.** Both leadership and staff can learn from trainings on identifying secondary trauma, options for self-care, and strategies to support healthy organizational practices in a highly stressful work environment. In particular, trainings on communication should address intergenerational and cross-cultural dynamics or conflicts among staff. Trainings may take the form of contracting with an external provider to develop and implement training modules across the state specifically for immigrant legal service providers. It will be important to consider how to provide ongoing training and support to organizations that extends beyond a one-time training.
  - **Law school curriculum focused on secondary trauma and wellness.** Teaching about secondary trauma and self-care strategies during law school will better prepare attorneys to practice law in challenging environments.
5. **Expand resources for professional development for leaders and managers.** In order to provide high quality services and encourage staff retention, leadership of immigration legal service nonprofits need the skills to manage rapidly growing organizations, provide high quality staff supervision, and oversee organizational operations and finances. Recommended strategies include:
- **Access to existing nonprofit management training programs.** Allotting funding for leaders to participate in existing nonprofit management trainings and programs (e.g., Compass Point).
  - **Custom training for leaders and managers.** In this approach, a cohort of organizational management/leadership across organizations would participate in an online training series, with small group or one-on-one mentorship provided. Mobile trainings replicated across providers would be less intensive than a fellowship program but still preserve the benefits of a cohort and mentorship model.
  - **Leadership coaching and mentorship.** In this model, leadership receives training, coaching, and mentorship from trained executives, as well as participation in a cohort of peers who can support each other.

## Recommendations for Strategic Grantmaking

The second set of recommendations lays out a responsive and collaborative approach to grantmaking around immigration legal services. While many of these recommendations are not new in the field of philanthropy, they have specific relevance to the immigration legal services landscape.

6. **Align funding to organizational capacity needs.** Supporting nimble responses to evolving immigration legal service needs calls for foundations to increase flexibility and alignment of programmatic and administrative funding requirements. Foundation boards of directors may benefit from training about how the recommendations herein can meet the needs of grantees without sacrificing accountability. Recommended strategies include:
- **Alignment with true costs.** In order to provide responsive grants, it is important for funders to grasp the true cost of immigration legal services across a spectrum of service types and regions. Grantees themselves may not understand the full cost of their own legal services—they are likely to underestimate costs because they fail to factor in many of the associated costs. Funders can support grantees by working together to understand the cost of services and align funding models accordingly.
  - **Operational capacity funding.** Given the restrictions of state funding, philanthropy plays a crucial role in supporting organizational infrastructure and capacity building. Directed funding for operations would help grantees hire staff and cover the costs of administrative, grantwriting, data collection, and training efforts.
  - **Multi-year grants.** Not subject to legislative budget cycles, foundations can make longer-term funding commitments to provide financial stability and support longer-term planning and goal setting. Multi-year grants (e.g., five years) better align with the length of time required for legal case resolution.
  - **Alternative funding structures for legal caseloads.** To address increased complexity of cases and increased time of resolution, alternative options such as funding by the total number of cases open at one time, by hour, and/or by position may alleviate the issue of capped (and inadequate) funding by case.
  - **Relaxed reporting requirements.** Reducing grant application and grantee reporting requirements can lighten the burden on organizational capacity. In a time when most legal service providers are operating in crisis mode, it is important for funders to review their application and reporting and discern which are the most critical.
7. **Support collaboration among funders and partners.** To make the most of philanthropic investments, funders should regularly communicate to share knowledge, encourage innovating thinking, and leverage one another's resources. Recommended strategies include:
- **Coordination among foundations.** Convening funders (e.g., through learning collaboratives) would optimize resource allocation and ensure coverage of funding needs in a systematic way. Funders may coordinate to prioritize funding areas across the spectrum of legal service needs, geographies, and populations, as well as streamline requirements for grantees and reduce the burden on them.
  - **Coordination between philanthropy and state funders.** Foundations may seek to convene and develop loose agreements between the State and private philanthropy to support programmatic and administrative alignment.

- **Cohesive strategy with service providers and grassroots groups.** Fostering regular collaboration between funders and advocacy organizations, social service providers, migrant rights groups, and indigenous groups can promote opportunities to complement each other's efforts and lift up alternative and emerging models whose theories of change seek to transform the immigration legal service system.
- **Funding for research and evaluation to continually inform decision-making.** Philanthropy can support efforts by researchers to study and evaluate the needs and impacts of immigration legal service providers. Doing so will help funders understand what works and, as a result, make more strategic and effective investments.
- **Catalyze foundation relationships with other sectors.** Understanding that technology can help address bottlenecks and help increase capacity, funders can intentionally develop relationships with technologists that take advantage of their desire to promote social change. Funders who have relationships with the technology sector can leverage opportunities for new ways to collaborate and partner with the legal services sector.

## Conclusion

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This report highlights the stark reality in which California’s immigration legal service providers find themselves today. While funding for immigration legal services has increased over the past several years in response to federal policies, the need for legal services—particularly representation in deportation defense cases and assistance with asylum applications—far outweighs the available resources. The shortage of immigration attorneys, coupled with the declining viability of pro bono attorneys in deportation defense, means that most immigrants and asylum-seekers, particularly those in detention, do not have access to adequate representation. As organizations attempt to scale their services, legal staff face overwhelming workloads and cope with secondary trauma from the individuals and families they meet.

Despite these challenges, immigration legal service organizations remain as committed as ever to responding to the crisis at hand. Increased support to expand services, train and support staff, and share resources will buoy immigration legal services in these challenging times. California funders across sectors and regions can play a pivotal role in building a strong foundation of legal services to address current and future needs. Doing so will not only benefit immigrants and asylum-seeking individuals and families across the state; it will fortify the diversity and strength of our communities as a whole. California funders are also well positioned to set an example for regions across the country to lead the way in meeting the legal needs of their communities.

# Appendices

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## Appendix A. Regional Profiles

See attached document.



## **Appendix B. Advisory Committee Members**

- Rosie Arroyo, California Community Foundation
- Kate Clark, Jewish Family Service of San Diego
- Elizabeth Hom, The State Bar of California
- Patti D'Angelo Juachon, Marin Community Foundation
- Navin Moul, Zellerbach Family Foundation
- Marcela Ruiz, California Department of Social Services
- Julia Wilson, OneJustice
- Bianca Sierra Wolff, California ChangeLawyers

## Appendix C. Interview Participants

**Table 1. Key Informant Interview Participants**

	Name/Role	Organization
1	Zahra Billoo, Executive Director	Council on American-Islamic Relations (CAIR)
2	Eleni Wolfe-Roubatis, Directing Attorney	Centro Legal
3	Katie Annand, Managing Attorney	Kids in Need of Defense (KIND)
4	Martha Arevalo, Executive Director Daniel Sharp, Legal Director	CARECEN
5	Sally Kinoshita, Deputy Director	Immigrant Legal Resource Center (ILRC)
6	Thomas Mariadason, Deputy Director	Asian American Advancing Justice
7	Diana Tellfson, Executive Director	UFW Foundation
8	Angelica Salas, Executive Director Luis Perez, Head of Legal Department	Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
9	Morgan Weibel, Executive Director	TAHIRIH Justice Center
10	Jesus Martinez, Executive Director	Central Valley Immigrant Integration Collaborative (CVIIC)
11	Judy London, Directing Attorney	Public Counsel
12	Lindsay Toczylowski, Executive Director	Immigrant Defenders Law Center
13	Adela Mason, Director	ABA Immigrant Justice Project
14	Raha Jorjani, Alameda County Public Defender	Alameda County Public Defender Office
15	Nicole Ramos, Refugee Program Director	Border Rights Project - Al Otro Lado (AOL)
16	Amagda Pérez, Executive Director	California Rural Legal Assistance Foundation (CRLAF)
17	Abigail Trillin, Managing Attorney	Legal Services for Children (LSC)
18	Kate Clark, Senior Director of Immigration Services	San Diego Rapid Response Network
<b>Benchmarking Interviews</b>		
19	Betty Torres, Executive Director	Texas Access to Justice Foundation
20	Anne Marie Mulcahy, Deputy Director of Center on Immigration Justice	Vera Institute of Justice

## Appendix D. Survey Regions and Respondents

**Table 2. Breakdown of Survey Respondents by Region<sup>15</sup>**

All Organizations		
<ol style="list-style-type: none"> <li>1. ABA Immigration Justice Project</li> <li>2. African Advocacy Network</li> <li>3. Aitken Family Protection Clinic, Chapman University</li> <li>4. Al Otro Lado</li> <li>5. AIDS Legal Referral Panel</li> <li>6. Angel Plus LLC</li> <li>7. Asian Americans Advancing Justice - Asian Law Caucus</li> <li>8. Asian Law Alliance</li> <li>9. Bet Tzedek Legal Services</li> <li>10. Black Alliance for Just Immigration</li> <li>11. Building Skills Partnership</li> <li>12. California Change Lawyers</li> <li>13. California Human Development</li> <li>14. California Rural Legal Assistance, Inc.</li> <li>15. Canal Alliance</li> <li>16. CARECEN</li> <li>17. Casa Cornelia Law Center</li> <li>18. Catholic Charities Diocese of San Diego</li> <li>19. Catholic Charities of the Diocese of Santa Rosa</li> <li>20. Catholic Charities San Bernardino &amp; Riverside Counties</li> <li>21. Catholic Charities San Diego</li> <li>22. Center for Employment Training</li> <li>23. Center for Gender &amp; Refugee Studies</li> <li>24. Central Valley Immigrant Integration Collaborative (CVIIC)</li> <li>25. Centro Legal de la Raza</li> <li>26. Chinese for Affirmative Action</li> <li>27. Coalition for Humane Immigrant Rights (CHIRLA)</li> <li>28. Coalition to Abolish Slavery &amp; Trafficking</li> </ol>	<ol style="list-style-type: none"> <li>29. Coastside Hope</li> <li>30. Community Legal Aid SoCal</li> <li>31. East Bay Community Law Center</li> <li>32. Elder Law and Advocacy</li> <li>33. Esperanza Immigrant Rights Project, CCLA</li> <li>34. Family and Children's Law Center</li> <li>35. Filipino Advocates for Justice</li> <li>36. Human Rights First</li> <li>37. ILRC</li> <li>38. Immigrant Hope Santa Barbara</li> <li>39. Immigrants Rising</li> <li>40. Immigration Institute of the Bay Area</li> <li>41. Jewish Family and Community Services East Bay</li> <li>42. Jewish Family Service of San Diego</li> <li>43. Jubilee Immigration Advocates</li> <li>44. Justice &amp; Diversity Center of the Bar Association of San Francisco</li> <li>45. Kids In Need of Defense (KIND)</li> <li>46. Korean Resource Center</li> <li>47. Law Foundation of Silicon Valley</li> <li>48. Lawyers' Committee for Civil Rights of the San Francisco Bay Area</li> <li>49. Legal Aid Foundation of Santa Barbara County</li> <li>50. Legal Aid Society of San Diego</li> <li>51. Legal Aid Society of San Mateo County</li> <li>52. Legal Assistance for Seniors</li> <li>53. Legal Services for Children</li> </ol>	<ol style="list-style-type: none"> <li>54. Los Angeles Center for Law &amp; Justice</li> <li>55. Neighborhood Legal Services of Los Angeles County</li> <li>56. North Bay Organizing Project</li> <li>57. Oasis Legal Services</li> <li>58. OneJustice</li> <li>59. Pangea Legal Services</li> <li>60. POMONA ECONOMIC OPPORTUNITY CENTER</li> <li>61. Pro Bono Net / Immigration Advocates Network</li> <li>62. Public Counsel</li> <li>63. Public Law Center</li> <li>64. San Bernardino Community Service Center</li> <li>65. San Joaquin College of Law- NALC</li> <li>66. Santa Cruz County Immigration Project/CAB</li> <li>67. SIREN</li> <li>68. So Cal Immigration Project</li> <li>69. SOCIAL JUSTICE COLLABORATIVE</li> <li>70. Solidarity</li> <li>71. South Asian Network (SAN)</li> <li>72. Stanford Law School Immigrants' Rights Clinic</li> <li>73. Step Forward Foundation, Inc.</li> <li>74. Tahirih Justice Center</li> <li>75. The Cambodian Family</li> <li>76. The Katharine &amp; George Alexander Community Law Center</li> <li>77. TODEC Legal Center</li> <li>78. UFW Foundation</li> <li>79. VIDAS Legal Services</li> <li>80. Watsonville Law Center</li> </ol>

<sup>15</sup> The regional profiles were designed to include all organizations that reported *serving* the region, rather than organizations *located* in that region. As a result, there is overlap between the organizations included in each regional profile.

The North and Mountain region is not included in the regional profiles. Organizations that reported serving the North and Mountain region include VIDAS Legal Services, California Rural Legal Assistance, Inc., Tahirih Justice Center, Coalition for Humane Immigrant Rights (CHIRLA), and the Social Justice Collaborative. The region encompasses Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Mono, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba.

## Organizations Serving the Bay Area

**Counties served: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma**

Located in the Region		Located Outside the Region
<ol style="list-style-type: none"> <li>1. African Advocacy Network</li> <li>2. ALRP</li> <li>3. Angel Plus LLC</li> <li>4. Asian Americans Advancing Justice - Asian Law Caucus</li> <li>5. Asian Law Alliance</li> <li>6. California ChangeLawyers</li> <li>7. California Human Development</li> <li>8. Canal Alliance</li> <li>9. CARECEN</li> <li>10. Catholic Charities of the Diocese of Santa Rosa</li> <li>11. Center for Employment Training</li> <li>12. Center for Gender &amp; Refugee Studies</li> <li>13. Centro Legal de la Raza</li> <li>14. Chinese for Affirmative Action</li> <li>15. Coastsides Hope</li> <li>16. East Bay Community Law Center</li> <li>17. Family and Children's Law Center</li> <li>18. Filipino Advocates for Justice</li> <li>19. ILRC</li> <li>20. Immigrants Rising</li> <li>21. Immigration Institute of the Bay Area</li> <li>22. Jewish Family and Community Services East Bay</li> </ol>	<ol style="list-style-type: none"> <li>23. Jubilee Immigration Advocates</li> <li>24. Justice &amp; Diversity Center of the Bar Association of San Francisco</li> <li>25. Kids In Need of Defense (KIND)</li> <li>26. Law Foundation of Silicon Valley</li> <li>27. Lawyers' Committee for Civil Rights of the San Francisco Bay Area</li> <li>28. Legal Aid Society of San Mateo County</li> <li>29. Legal Assistance for Seniors</li> <li>30. Legal Services for Children</li> <li>31. North Bay Organizing Project</li> <li>32. Oasis Legal Services</li> <li>33. OneJustice</li> <li>34. Pangea Legal Services</li> <li>35. SIREN</li> <li>36. SOCIAL JUSTICE COLLABORATIVE</li> <li>37. Stanford Law School Immigrants' Rights Clinic</li> <li>38. Step Forward Foundation, Inc.</li> <li>39. Tahirih Justice Center</li> <li>40. The Katharine &amp; George Alexander Community Law Center</li> <li>41. VIDAS Legal Services</li> </ol>	<ol style="list-style-type: none"> <li>42. Bet Tzedek Legal Services</li> <li>43. Santa Cruz County Immigration Project/CAB</li> <li>44. Watsonville Law Center</li> <li>45. California Rural Legal Assistance, Inc.</li> <li>46. Solidarity</li> <li>47. UFW Foundation</li> <li>48. Coalition for Humane Immigrant Rights (CHIRLA)</li> <li>49. Black Alliance for Just Immigration</li> <li>50. Building Skills Partnership</li> <li>51. Korean Resource Center</li> <li>52. Public Counsel</li> <li>53. San Bernardino Community Service Center</li> <li>54. TODEC Legal Center</li> </ol>

## Organizations Serving Los Angeles

**County served: Los Angeles**

Located in the Region	Located Outside the Region	
<ol style="list-style-type: none"> <li>1. Black Alliance for Just Immigration</li> <li>2. Building Skills Partnership</li> <li>3. Bet Tzedek Legal Services</li> <li>4. Coalition to Abolish Slavery &amp; Trafficking</li> <li>5. Public Counsel</li> <li>6. Korean Resource Center</li> <li>7. South Asian Network (SAN)</li> <li>8. Human Rights First</li> <li>9. Coalition for Humane Immigrant Rights (CHIRLA)</li> <li>10. POMONA ECONOMIC OPPORTUNITY CENTER</li> <li>11. Esperanza Immigrant Rights Project, CCLA</li> <li>12. Los Angeles Center for Law &amp; Justice</li> <li>13. Neighborhood Legal Services of Los Angeles County</li> <li>14. VIDAS Legal Services</li> </ol>	<ol style="list-style-type: none"> <li>15. Catholic Charities of the Diocese of Santa Rosa</li> <li>16. Asian Law Alliance</li> <li>17. Solidarity</li> <li>18. Center for Gender &amp; Refugee Studies</li> <li>19. Stanford Law School Immigrants' Rights Clinic</li> <li>20. California Rural Legal Assistance, Inc.</li> <li>21. San Bernardino Community Service Center</li> <li>22. Pangea Legal Services</li> <li>23. TODEC Legal Center</li> </ol>	<ol style="list-style-type: none"> <li>24. ILRC</li> <li>25. Immigrants Rising</li> <li>26. Justice &amp; Diversity Center of the Bar Association of San Francisco</li> <li>27. Kids In Need of Defense (KIND)</li> <li>28. Community Legal Aid SoCal</li> <li>29. Tahirih Justice Center</li> <li>30. Immigrant Hope Santa Barbara</li> <li>31. Al Otro Lado</li> <li>32. OneJustice</li> </ol>

## Southern California without Los Angeles

**Counties Served: Imperial, Orange, Riverside, San Bernardino, San Diego**

Located in the Region	Located Outside the Region	
<ol style="list-style-type: none"> <li>Catholic Charities Diocese of San Diego</li> <li>Solidarity</li> <li>San Bernardino Community Service Center</li> <li>Jewish Family Service of San Diego</li> <li>Legal Aid Society of San Diego</li> <li>ABA Immigration Justice Project</li> <li>TODEC Legal Center</li> <li>The Cambodian Family</li> <li>Community Legal Aid SoCal</li> <li>SoCal Immigration Project</li> <li>Casa Cornelia Law Center</li> <li>Catholic Charities San Bernardino &amp; Riverside Counties</li> <li>Public Law Center</li> <li>Al Otro Lado</li> <li>Elder Law and Advocacy</li> <li>Aitken Family Protection Clinic, Chapman University</li> </ol>	<ol style="list-style-type: none"> <li>VIDAS Legal Services</li> <li>Catholic Charities of the Diocese of Santa Rosa</li> <li>Asian Law Alliance</li> <li>Black Alliance for Just Immigration</li> <li>Building Skills Partnership</li> <li>Bet Tzedek Legal Services</li> <li>Center for Gender &amp; Refugee Studies</li> <li>Stanford Law School Immigrants' Rights Clinic</li> <li>California Rural Legal Assistance, Inc.</li> <li>Pangea Legal Services</li> <li>Public Counsel</li> <li>Korean Resource Center</li> <li>ILRC</li> </ol>	<ol style="list-style-type: none"> <li>Immigrants Rising</li> <li>Justice &amp; Diversity Center of the Bar Association of San Francisco</li> <li>Kids In Need of Defense (KIND)</li> <li>Tahirih Justice Center</li> <li>South Asian Network (SAN)</li> <li>Human Rights First</li> <li>Coalition for Humane Immigrant Rights (CHIRLA)</li> <li>POMONA ECONOMIC OPPORTUNITY CENTER</li> <li>SOCIAL JUSTICE COLLABORATIVE</li> <li>Esperanza Immigrant Rights Project, CCLA</li> <li>OneJustice</li> <li>Pro Bono Net / Immigration Advocates Network</li> </ol>

## Organizations Serving the Central Valley

**Counties served: Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Sacramento, San Joaquin, Stanislaus, Tulare**

Located in the Region	Located Outside the Region	
<ol style="list-style-type: none"> <li>California Rural Legal Assistance, Inc.</li> <li>Central Valley Immigrant Integration Collaborative (CVIIC)</li> <li>San Joaquin College of Law- NALC</li> </ol>	<ol style="list-style-type: none"> <li>VIDAS Legal Services</li> <li>Catholic Charities of the Diocese of Santa Rosa</li> <li>Asian Law Alliance</li> <li>AFRICAN ADVOCACY NETWORK</li> <li>Black Alliance for Just Immigration</li> <li>Solidarity</li> <li>Building Skills Partnership</li> <li>Bet Tzedek Legal Services</li> <li>California Human Development</li> <li>Center for Gender &amp; Refugee Studies</li> <li>Stanford Law School Immigrants' Rights Clinic</li> <li>Jubilee Immigration Advocates</li> <li>SIREN</li> <li>San Bernardino Community Service Center</li> <li>Pangea Legal Services</li> <li>Public Counsel</li> <li>Korean Resource Center</li> <li>CARECEN</li> <li>TODEC Legal Center</li> <li>ILRC</li> </ol>	<ol style="list-style-type: none"> <li>Immigration Institute of the Bay Area</li> <li>Immigrants Rising</li> <li>Justice &amp; Diversity Center of the Bar Association of San Francisco</li> <li>Kids In Need of Defense (KIND)</li> <li>Tahirih Justice Center</li> <li>The Katharine &amp; George Alexander Community Law Center</li> <li>Immigrant Hope Santa Barbara</li> <li>Lawyers' Committee for Civil Rights of the San Francisco Bay Area</li> <li>Coalition for Humane Immigrant Rights (CHIRLA)</li> <li>SOCIAL JUSTICE COLLABORATIVE</li> <li>Oasis Legal Services</li> <li>OneJustice</li> <li>Centro Legal de la Raza</li> <li>UFW Foundation</li> <li>Asian Americans Advancing Justice - Asian Law Caucus</li> </ol>

<b>Organizations Serving the Central Coast</b>		
<b>Counties Served: Monterey, San Benito, Santa Barbara, Santa Cruz, Ventura, San Luis Obispo</b>		
<b>Located in the Region</b>		<b>Located Outside the Region</b>
1. Santa Cruz County Immigration Project/CAB	5. VIDAS Legal Services	24. Immigrants Rising
2. Watsonville Law Center	6. Catholic Charities of the Diocese of Santa Rosa	25. Justice & Diversity Center of the Bar Association of San Francisco
3. Immigrant Hope Santa Barbara	7. Asian Law Alliance	26. Kids In Need of Defense (KIND)
4. Legal Aid Foundation of Santa Barbara County	8. AFRICAN ADVOCACY NETWORK	27. Tahirih Justice Center
	9. Black Alliance for Just Immigration	28. The Katharine & George Alexander Community Law Center
	10. Solidarity	29. Human Rights First
	11. Bet Tzedek Legal Services	30. Lawyers' Committee for Civil Rights of the San Francisco Bay Area
	12. Center for Gender & Refugee Studies	31. Coalition for Humane Immigrant Rights (CHIRLA)
	13. Stanford Law School Immigrants' Rights Clinic	32. SOCIAL JUSTICE COLLABORATIVE
	14. California Rural Legal Assistance, Inc.	33. Oasis Legal Services
	15. SIREN	34. Esperanza Immigrant Rights Project, CCLA
	16. San Bernardino Community Service Center	35. OneJustice
	17. Step Forward Foundation, Inc.	36. Centro Legal de la Raza
	18. Pangea Legal Services	37. UFW Foundation
	19. Public Counsel	
	20. Korean Resource Center	
	21. CARECEN	
	22. TODEC Legal Center	
	23. ILRC	