

## NINE WAYS FOR LAWYERS TO HELP RESIST POLICIES THAT HURT IMMIGRANTS AND REFUGEES

### I. Give Money

- A. Even before this current crisis, all of the legal aid nonprofit agencies were short-staffed given the level of need. Now the numbers of calls that they have been receiving for immigration legal services assistance have grown exponentially and it is anticipated that this growth will continue over the next four years. Any pro bono work that you do will assist with this but in order for that work to be effective, these agencies will need to take time away from their clients to train and mentor. If they had an extra hand to handle cases while they train and mentor, it would double the impact of the pro bono services provided.
- B. <http://www.philabarfoundation.org/2017-Special-Circumstances>  
The Philadelphia Bar Foundation has set up a special circumstances fund to address the fact that many nonprofit legal aid organizations in our community are experiencing urgent increases in client demand for their services and also potentially significant cuts in their federal and state funding. They are in need of an immediate infusion of resources due to these special, unexpected circumstances. Donations to the **Special Circumstances Campaign** will allow the Bar Foundation to issue *Special Circumstances Grants* to local legal aid organizations currently receiving a regular annual grant from the Foundation. The Bar Foundation has the unique capacity, through well-established processes, to evaluate and respond to requests for special assistance from the full range of legal aid organizations. This is a standard part of the Foundation's operations, although the current special circumstances are anything but ordinary.
- C. If you're tapped out, throw a home fundraiser for an immigration and refugee non-profit of your choice. Invite some friends, serve them dinner and charge them money (whatever you deem appropriate) and make it clear on the invitation that the charge is to go to an immigration or refugee charity to help them fight the administration's anti-immigrant anti-refugee policies.

### II. Sign Up At The Philadelphia Bar Association To Offer Volunteer Legal Services

- A. The Philadelphia Bar Association has set up a database and form for which you can provide information such as area of expertise or knowledge, hours of availability, and contact information. The legal aid nonprofits will then be able to reach out to you for assistance and keep track of who has been contacted. <http://www.philadelphiabar.org/page/ChallengeAhead>

- B. If you speak a language other than English, your help is desperately needed. We will pair you up with another attorney to jointly provide pro bono services. You can provide this information on the form to be submitted to the Bar Association.

### **III. Attend A Citizenship Training And Take A Citizenship Case**

- A. There will be two trainings on citizenship in **March**. One is being held at Ballard Spahr 23 and one will be at the Bar Association on March 20. Both are open to all lawyers seeking to volunteer. CLE credit will be available. You can sign up at the Bar Association website. <http://www.philadelphiabar.org/page/CLE>
- B. After the trainings, you will learn of times, dates and locations of citizenship clinics that will be taking place around the city in **May**. You will have an opportunity to sign up for one of these clinics at the training and you will be expected to attend the clinic that you sign up for and begin the citizenship application process with your client at the clinic.
- C. The four non-profit immigration legal services providers in Philadelphia, HIAS Pennsylvania, Nationalities Services Center, Esperanza Immigration Legal Services and Friends of Farmworkers, will ensure that pre-screened clients are given appointments at each of these clinics. A pro bono coordinator at the Bar Association will match each client with a pro bono attorney so that when the clinic occurs, a client will have an appointment during the clinic with a pro bono attorney. The clinics will be staffed by an immigration attorney expert who will be there to answer questions. During the clinic, pro bono attorneys will spend between two and three hours getting to know the client and completing all of the necessary paperwork to file the naturalization application. Once the paperwork is complete, administrative volunteers at the clinics will assist you in putting the completed package together and ensuring that the package gets mailed to the court for filing. If the client has failed to bring necessary documentation so that the package cannot be completed that day, the pro bono attorney will make a follow-up appointment with the client at his or her office in order to complete and file the application. The immigration attorney expert who is at the clinic to answer questions will provide his or her contact information to the attorneys that are volunteering so that he or she can be contacted if the attorney has any follow-up questions after the clinic is over.
- D. After the citizenship application has been filed, the pro bono attorney will continue to provide representation to the client through the citizenship process (approximately five months) and will have the opportunity at the end of the

process to attend the client's oath ceremony. The attorney must ensure that there is an interpreter at all phases of the representation when one is necessary. The oath ceremony is the ultimate event in the representation and is extremely moving and inspiring. We hope attending this will motivate the pro bono attorney to take on more citizenship cases pro bono after the initial case has been completed. It is said that the best defense to deportation is citizenship and in these dark times, where detentions in advance of attempts to deport our friends and neighbors, our co-workers, our colleagues and even our family members are happening more than ever before, we need all of the assistance we can get in helping immigrants naturalize.

#### **IV. Attend A Citizenship Training And Participate In A Legal Screening Day**

- A. As stated above, we will provide a training on citizenship on dates in **March**. That training will be open to all lawyers seeking to volunteer. CLE credit will be available. At the training, you will learn of times, dates and locations of citizenship screening days that will be taking place around the city in **April**. You will have an opportunity to sign up for one of these screening days at the training and you will be expected to attend the screening day that you sign up for and spend approximately four hours meeting with clients and determining, based on your interviews with the clients, who would be appropriate for the citizenship clinic days mentioned above. Those clients who are not appropriate for those clinics will be referred to one of the four immigration non-profit organizations listed above or to a private immigration attorney depending on the facts and circumstances of the client's issues.
- B. The screening days will be staffed by an immigration attorney expert who will be available to answer questions during the day and volunteer administrative folks who will assist the experts and the pro bono volunteers with any logistical issues that arise during the screenings. Pro bono attorneys will be provided with a list of referral resources for those clients who do not qualify for representation at the citizenship clinics and will be provided with a form to complete for those clients who do qualify. Names and contact information of the clients who do qualify will be provided to the Philadelphia Bar Association pro bono coordinator for this project so that he or she can assign the person to a screening day and a pro bono volunteer who is attending the screening day.
- C. Pro bono attorneys who attend a screening day have no further obligations after the screening day. It is hoped, however, that the experience of learning about citizenship and meeting with an immigrant eligible for citizenship will inspire pro bono attorneys to sign up for a citizenship clinic so that he or she can provide direct representation or will sign up to attend another screening day in the months after the first set are completed.

**V. Attend A Refugee Adjustment Of Status Training And Take An Adjustment Case**

- A. There will be one training on adjustment of status (AOS) for refugees on Thursday March 16th. The training is being held at Blank Rome and will be open to all lawyers seeking to volunteer. CLE credit will be available. You can sign up for the CLE on the Bar Association's website. <http://www.philadelphiabar.org/page/CLE>
- B. At or shortly after the training, you will learn of times, dates and locations of AOS clinics that will begin taking place in April. You will have an opportunity to sign up for one of the clinics at the training and you will begin the AOS application process with your client at the clinic.
- B. Nationalities Services Center will ensure that pre-screened clients are given appointments at each of these clinics. A pro bono coordinator at the Bar Association will match each client with a pro bono attorney so that when the clinic occurs, a client will have an appointment during the clinic with a specific pro bono attorney. The clinics will be staffed by an immigration attorney expert who will be there to answer questions. The pro bono coordinator at the Bar Association will also help to arrange interpreters. During the clinic, pro bono attorneys will spend between two and three hours working with the client and completing all of the necessary paperwork to file the refugee AOS application. Once the paperwork is complete, administrative volunteers at the clinics will assist you in putting the completed package together and ensuring that the package gets mailed to the correct address for filing with USCIS.
- C. If the client does not have all necessary documentation for the AOS application to be completed on the day of the clinic, the pro bono attorney will make a follow-up appointment with the client at his or her office in order to complete and file the application. The immigration attorney expert who is at the clinic to answer questions will provide his or her contact information to the attorneys that are volunteering so that he or she can be contacted if the attorney has any follow-up questions after the clinic is over.
- D. After the AOS application has been filed, the pro bono attorney will continue to provide representation to the client through the AOS process, which may require representation at an adjustment interview before a USCIS officer. Recently, these applications have mostly been adjudicated without an interview but that may change. The AOS training will cover the topic of adjustment interviews. The pro bono attorney must ensure that there is an interpreter at all phases of the representation when one is necessary.

- E. Refugee adjustment of status clinics will be held either monthly or every other month starting in April.

**VI. For Family Law Attorneys : Provide Permanency Planning Representation for Families Facing Deportation**

- A. Many undocumented parents of U.S. citizen children are desperately afraid of being taken away in the middle of the day or the middle of the night, leaving their U.S. Citizen children suddenly without a caregiver. These parents need help drafting, executing and in some cases filing documents that will ensure that arrangements for their children can be made if they are suddenly unable to provide for them. In connection with the Family Law Section of the Bar Association, and others, the legal aid nonprofits will provide training to family law lawyers about the variety of mechanisms that are available for parents in this situation on a date in March. The training will be open to all family law attorneys seeking to undertake pro bono representation for these parents and will include CLE credit. At the training contact information will be taken by the Philadelphia Bar Association's pro bono coordinator
- B. After the training, when immigration non-profit agencies encounter a client seeking to make these arrangements, the client will be referred to the pro bono coordinator who will match the client with a pro bono attorney. These referrals and subsequent connections will be accomplished in a manner similar to the way in which VIP attorneys receive cases from VIP. In accordance with federal and state law, the pro bono attorney assigned to the case must provide any necessary interpreters for the representation.

**VII. For Tax Attorneys: Provide pro bono services to immigrants and refugees seeking assistance in filing their taxes**

- A. Most immigrants and refugees are working and need assistance in filing their taxes. While their taxes are not complicated, generally speaking, due to language barriers and cultural differences about what sorts of things one has to report to the government, having legal assistance with tax preparation is extremely helpful.
- B. If you are a tax attorney and are willing to assist low income immigrants and refugees with filing their returns, please contact the Philadelphia Bar Association's pro bono coordinator and provide your information to him or her. When a non-profit immigration or refugee agency encounters a client who needs this assistance the client will be referred to the pro bono coordinator and the coordinator will match the client to the pro bono attorney. In accordance with federal and state law, the attorney who undertakes the representation must provide interpreters when necessary at all stages of the representation.

**VIII. For Corporate Attorneys: Provide corporate advice, referral and representation**

A. There are a number of immigrant and refugee serving nonprofits in Philadelphia that may need legal advice on the following types of issues:

1. Data Security: For example, what data to collect, what data not to collect, how to store it so that is it protected etc.
2. Legal advice for a health clinic that wants to put a plan in place for staff to follow should immigration enforcement show up at the clinic.
3. Legal advice for churches and others considering offering sanctuary to immigrants.
4. Legal advice for agencies who have questions related to their lobbying activities under federal, state and local law
5. Legal assistance for agencies who face federal or state attacks based on their lobbying activities or based on other pretexts
6. Legal assistance for agencies facing massive budgetary cuts even in situations where they have multi-year government contracts
7. Other similar legal issues not currently anticipated.

**IX. Write to your federal and state legislators regularly and often.**

As you know, the legal landscape with respect to immigrants and refugees has changed rapidly and drastically in the last month. We expect these changes to continue as Congress begins considering budget appropriations. We hope that we can count on each and every one of you to unrelentingly communicate with your federal and state officials telling them your concerns.

If you want help doing this, join these mailing lists: [www.aclu.org](http://www.aclu.org) and [www.hiaspa.org](http://www.hiaspa.org). The ACLU and HIAS PA, are all engaged in advocacy regarding legislative developments. These organizations have toolkits for writing letters and postcards regarding specific issues/proposals on their websites and Facebook pages. You can use these resources for yourselves and you can also throw regular legislative advocacy parties with your friends, neighbors and co-workers.