

May 13, 2022

Afghan Legal Service Provision Roundtable: Operational Strategies



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Introduction

Meet Our Panelists:

Anna Gallagher

Executive Director

Catholic Legal Immigration Network, Inc. (CLINIC)

Kojo Asamoah-Caesar

Pro Bono Coordinator

Catholic Charities of Eastern Oklahoma

Alyssa Williams

Immigration Program Manager

Catholic Community Services of Utah

Maria Garcia

Senior Director

Caritas Legal Services – Catholic Charities of the
Archdiocese San Antonio

Today's Roundtable Agenda

1

Capacity Building Principles

2

Pro Bono Coordination

3

In-House Services

4

Q&A



Capacity Building Principles

**Anna Gallagher
Executive Director**

Topics

1. Capacity Building Approaches
2. Staffing Models Comparison
3. General Considerations



Capacity Building Approaches

- **Create partnerships with existing programs**
 - Lean on each other's strengths
 - Make sure to check our Affiliate Directory on our website
- **Building capacity of existing programs**
 - Department of Justice Accreditation pathway
 - Pro-bono programs and volunteer opportunities
 - Keep engagement narrow and focused
- **Creating new immigration programs**
 - Last resort option but many times necessary, CLINIC is here to help
 - Creating a partnership in the short term, can help you get here in the long term

Staffing Models

DOJ Rep + Support Staff	Staff Attorney + DOJ Rep + Support Staff
<ul style="list-style-type: none">• Often limits scope of work to affirmative services• Sets clear boundaries for legal team on types of cases they can take on and which ones to refer out• Technical support is necessary to maintain DOJ recognition status and to protect the agency from malpractice	<ul style="list-style-type: none">• Staff attorney<ul style="list-style-type: none">• Expands the types of cases and scope of work the program can do• Protects program in the event that it loses its accredited representatives• Rather than expertise or capacity driving the case selection, its driven by the funding available• Maximize the role of the DOJ Rep

Other Considerations

- **Unlawful Practice of Law**
 - Set clear roles for non immigration team members
- **Ensuring that only immigration staff do immigration work**
- **Staff with multiple job functions**



Pro Bono Coordination

Kojo Asamoah-Caesar
Pro Bono Coordinator

Pro Bono Coordination

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

Kojo Asamoah-Caesar, Pro Bono Coordinator

- **Capacity in Context:** 3 staff attorneys, 2 DOJ-reps
- **APA Caseload:** 265 cases / 850 total clients
 - SIV: 17%
 - Asylum: 83%
- **Legal Services Partnerships:**
 - **Intake & Screening:** TU Law School
 - **SIV Applications:** YWCA Tulsa
 - **Asylum Applications:** CCEOK Pro Bono Attorneys

Pro Bono Coordination | Staffing

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

- **Staffing Strategy**
 - Each of the orgs. in the legal services partnership hired a point person for this project
- **Staff Titles & Roles**
 - **Project 850 Fellow** – coordinate intake and screening at TU Law School
 - **Staff Attorney** – coordinate SIV case representation at YWCA Tulsa
 - **Pro Bono Coordinator** – recruit and facilitate work of pro bono attorneys at CCEOK
 - **Interpreters** – assist with meeting scheduling, interpretations and translations

Pro Bono Coordination | Outreach

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

- **Outreach Approach**
 - Begin local and build upon agency's existing connections
- **Initial Contacts**
 - Regional agencies, existing volunteer pool, agency's Board members
- **Strategic Messaging**
 - Emphasize superlatives, leverage news coverage, appeal to firms' self-interest
- **Interest Meeting**
 - Hosted at big law firm, firm CEO sent out the invite, we made the pitch and the ask

Pro Bono Coordination | Expectations

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

Resettlement Agency will provide:

- Training for pro bono attorneys
- Resource bank
- Mentors
- Interpreters
- Transportation for Afghan clients

Law Firms/PBAs will provide:

- Limited Scope Representation of Afghan clients
- Preparation and filing of the I-589, with client declaration and evidence packet
- Interview preparation for Afghan clients

Pro Bono Coordination | Mentorship

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

- **All-Day Training Workshop – CLE Credit**
 - **Key topics addressed:** History of Afghanistan, Cultural Orientation, Asylum 101, Afghan-Specific Asylum Claims, Trauma-Informed Lawyering, How To Use An Interpreter, Case Management
- **Mentorship Model**
 - **Mentors:** Volunteer Immigration Attorneys in Tulsa
 - **Cohorts:** Groups of 10-15 attorneys are each assigned a mentor
 - **Office Hours:** Mentors hold recurring meetings with cohorts to answer questions and provide guidance

Pro Bono Coordination | Support

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma

- **Resource Bank**
 - Country Condition Reports, Sample Asylum Applications, Asylum Overviews and Procedure Manuals, Pro-Se Toolkits, etc.
- **Logistics Memo**
 - Expectations, Meeting Scheduling, Interpretation, Transportation, Case Mgt., etc.
- **Consistent Engagement**
 - Tracking and sending data, updates on new commitments and case assignments, being transparent about challenges and plans to address them, soliciting feedback

Pro Bono Coordination | Best Practices

Catholic Charities of Eastern Oklahoma – Tulsa, Oklahoma



Innovation: view limited capacity as opportunity to create new practices & networks



Subsidiarity: begin local and build upon the agency's existing connections



Accompaniment: formulate supports for clients *and* PBAs that will be serving them



Engagement: maintain regular communications with network of partners, volunteers, and clients. (And if possible, with the media and broader community.)



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In-House Legal Services

Alyssa Williams
Immigration Program Manager

In-House Legal Services

Catholic Community Services of Utah – Salt Lake City, Utah

Alyssa Williams, JD - Immigration Program Manager

- APA Caseload: **289 clients**
 - SIV: **45%**
 - Asylum: **47%**
 - Family-Based: **8%**
- In-House Legal Services:
 - **Orientation**
 - **Intake & Screening**
 - **SIV Applications**
 - **Asylum Applications**

In-House Legal Services | Staffing

Catholic Community Services of Utah – Salt Lake City, Utah

Staffing Strategy

- **1.0 FTE Immigration Attorney/Program Manager:** Provides intake/screenings, asylum representation and coordination of pro bono attorneys who want to help.
- **1.0 FTE Immigration Specialist:** Provides interpretation/document translation (Dari & Pashto), works with SIV clients to prepare I-360 and I-485.
- **1.0 FTE APA Legal Interpreter:** Provides interpretation/document translation for asylum cases.

In-House Legal Services | Asylum Preparation

Catholic Community Services of Utah – Salt Lake City, Utah

- **Client preparation**
 - **Intake and orientation to asylum process**
 - We are not offering group orientation. Instead, we met with each family to assess needs, present overview of immigration options and determine what type of immigration relief the client wants to pursue.
 - This was difficult to complete without our own interpreter as case managers rarely had time.
 - **Mental health support**
 - Resources & approach to mental health support. We should be doing this, but medical team a bit overwhelmed.
 - We do reach out to CM if client reports that a basic need is not being met by CM.
 - **Documentation checklist**
 - Clients who will apply for asylum receive a checklist and they are asked to let us know when they are ready for the next appointment.

In-House Legal Services | Asylum Preparation

Catholic Community Services of Utah – Salt Lake City, Utah

- **Legal practitioner preparation**
 - **Template preparation:** We used the first few cases to develop fact patterns that could help us write template briefs. Our briefs present multiple issues and discuss religion, political opinion (usually imputed) and social group membership. Everyone is in the social group of “Afghan who participated in US evacuation of Afghans from Kabul.” Those who worked for US contractors/US media are also a social group and we mention that USDOS defined this group when they published the USRAP designation of P2 for Afghan Nationals.
 - **Grouping by case type:** We try to honor requests of clients to work on case at their own pace, but we are working the larger family groups together (many SIVs in US used military connections to get parents/siblings onto an evacuation flight). Now that we have a Hazara brief, we are trying to file the Hazara cases as a group.

In-House Legal Services | Asylum Preparation

Catholic Community Services of Utah – Salt Lake City, Utah

Key training and informational resources:

- **VECINA training modules** very helpful for pro bono attorneys:
 - <https://vecina.teachable.com/p/afghan-asylum>
- This **Afghan Country Report from EASO** is very helpful. We do not cite to the report because it quotes anonymous scholars with unhelpful opinions. But it is a good clearinghouse for published news articles that you can use to corroborate your client's claim.
 - <https://euaa.europa.eu/news-events/easo-publishes-coi-report-afghanistan-country-focus>
- This book offered evidence/academic research to support Hazara clients who want to argue that the Hazara in Afghanistan are survivors of genocide.
 - **Ibrahimi, Nimatullah. *The Hazaras and the Afghan State: Rebellion, Exclusion and the Struggle for Recognition*. Hurst 2017.**

In-House Legal Services | Asylum Process

Catholic Community Services of Utah – Salt Lake City, Utah

- **Asylum Service Step-by-Step**

1. **Meet with clients** to provide **overview of asylum** and describe what the client will need to do in order to be approved for asylum. Ask client to fill out **asylum 'homework'** if the client can read/write.
2. **Client delivers the finished homework** to CCS interpreter.
3. **Attorney** uses the homework to **populate the I-589** and use the client answers to questions to **start the personal statement**.
4. **Meet with client** to review the **application** and start to fill in the **personal statement**.
5. **Meet with client** again to work on the **application** and **personal statement**.
6. **Meet with client** a final time to read the **finished application** and **personal statement** to the client. Ask client to sign, take photos, and ensure CCS has all the **printed evidence** that the client wants to submit with the application.

In-House Legal Services | Interview Preparation

Catholic Community Services of Utah – Salt Lake City, Utah

- **Overview of Interview Prep**

- The Asylum office will schedule the interview within 30-45 days of filing.
- Once the interview is scheduled, we meet with client for **1 hour interview prep session**.
- We give the client **same type of overview that the asylum officer provides** (three steps, questions about how application/personal statement was prepared etc.).
- We ask the client a few **open questions** (have you ever been harmed in Afghanistan, why do you fear returning to Afghanistan, how would Taliban know you returned, is there any place in Afghanistan that you feel safe).
- Remind the client that there will be questions about **travel to other countries, visas held**, etc.
- We also go through the **security questions for a second time**.

In-House Legal Services | Best Practices

Catholic Community Services of Utah – Salt Lake City, Utah



Wait for a good interpreter. The asylum cases can be difficult for clients. It has helped for me to have an interpreter who can help initiate these difficult discussions with clients. The case managers do not have time to help with these cases. We were not able to make any real progress with intake/screening or asylum applications until we hired an interpreter who could just help the immigration team.



It is ok to go slow. We have needed multiple sessions with clients. Clients are also not always ready to give you everything as quickly as you would like. We are counting on having year 2 of parole to get through our asylum case load.



Remember that the officer will ask your clients you read back the entire application and statement back to them in a language they understand, so it is important for you take the time to do this.



Catholic Charities
Archdiocese of San Antonio, Inc.

In-House Legal Services

Maria Garcia

Senior Director of Caritas Legal Services

In-House Legal Services

Catholic Charities Archdiocese of San Antonio, TX

Maria Garcia, JD – Senior Director of Caritas Legal Services

- Capacity in Context: immigration legal services –e.g. asylum – before and after APA arrivals
- APA Caseload: **1,477 individual clients** (178 families, 27 couples, 371 singles)
- Legal Services **100 cases referred** (SIV 26 individuals, Asylum 305 individuals)
 - SIV: **est. 8%**
 - Asylum: **est. 90%**
 - Family-Based, Other: **est. 2%**
- In-House Legal Services:
 - **Orientation**
 - **Intake & Screening**
 - **SIV and Asylum Applications**

In-House Legal Services | Staffing

Catholic Charities Archdiocese of San Antonio, TX

- **Coordination between Immigration Legal Services & Resettlement Staff**
- **Staffing Strategy:** Hiring and restructuring current staff
 - **Saif Fadhil**, Associate Senior Director of Refugee Resettlement Services, refer clients to legal and counseling
 - **Akram Alkhafaji**, Immigration Director, delegate cases to attorney and paralegal
 - **Stuart Young**, LPC and Lead Clinician, delegate cases to LPC's

In-House Legal Services | Asylum Preparation

Catholic Charities Archdiocese of San Antonio, TX

Client & legal practitioner preparation

- **Intake and orientation to asylum process**
 - Consultation with in-house interpreter and evaluation of case
- **Mental health support**
 - Grace Counseling & approach to mental health support
- **Documentation checklist**
 - List of documents and written declaration

In-House Legal Services | Asylum Process

Catholic Charities Archdiocese of San Antonio, TX

Asylum Service Step-by-Step

1. Consultation
2. Translation of documents
3. Declaration
4. Sessions for psychological evaluation
5. Preparation of asylum case
6. Follow up appointments
7. Interview prep
8. Coordinating lodging, transportation, meals, and interpreter for interview

In-House Legal Services | Interview Preparation

Catholic Charities Archdiocese of San Antonio, TX

Overview of Interview Prep

- Clients receive a copy of their file in preparation for their interview
- Prep Interview and follow up
- Key points of clients declaration and psychological evaluation

In-House Legal Services | Best Practices

Catholic Charities Archdiocese of San Antonio, TX



Collaboration between resettlement, legal, and counseling departments



Constant communication with client and deadlines



Support and path to self-sufficiency



Empathy and understanding of difficulty integrating to U.S.



Cultural awareness



Making intimidating legal processes more approachable

Thank you!



Do you have any questions?

USCCB's APA Legal Resource Library
Brycs.org/APALegal

