



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

Core Standards for Charitable Immigration Programs

CLINIC seeks to expand and improve the legal services provided to low-income immigrants through its network of affiliate agencies. It does this by offering a range of training, technical support and advocacy services. CLINIC does not oversee or have a legal relationship with its affiliate agencies, nor is it an accrediting body.* However, CLINIC has a strong interest in helping affiliate agencies provide professional and competent services. As such, it has developed certain expectations for its affiliate agencies. These primarily have to do with the legal practice of law, legal staff availing themselves of appropriate training and technical support, and adherence to basic program management standards.

In becoming a CLINIC affiliate programs are expected to work with CLINIC staff in meeting minimum CLINIC standards. The CLINIC standards listed in bold reference essential standards guiding program staff's legal services to clients. All CLINIC standards listed represent best practices that agencies should achieve. These standards will be regularly communicated to CLINIC affiliate agencies and will be incorporated into the affiliate renewal process.

The following are **overarching standards** that are expected of each affiliate agency:

- a. Ensure that program services by type meet the immigration needs of the local community
- b. Engage staff in the authorized practice of immigration law
- c. Consistently use case management systems that include use of case management software and other tools to increase the efficiency and the quality of immigration work
- d. Establish financial controls and procedures to ensure the integrity and accountability in handling all financial matters
- e. Establish and implement supervision of staff and quality control procedures to ensure staff is providing the best level of immigration legal services
- f. Invest in staff training and an up-to-date immigration law library to ensure the competency and availability of resources for staff in the performance of immigration work

* Affiliate agencies shall not have the right to rely on CLINIC's review of their operations to avoid or mitigate any liability for the agencies' actions or failures thereof. Affiliate agencies are encouraged to perform their own reviews to ensure that their operations meet the standards for best practices.



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

The following are **more specific requirements** that CLINIC expects each affiliate agency to follow. Bolded items are required, while other items are recommended.

Program Design

- ▶ **Practice law legally, with at least one attorney who supervises non-attorney legal staff; or with Board of Immigration Appeals (BIA) recognition for the agency and at least one partially accredited representative with broad knowledge of immigration law and access to an immigration attorney or fully accredited representative for consultation**
- Mission Statement sets forth the program's goals, specifically referencing serving low-income and other vulnerable foreign-born persons
- Case selection criteria policy reflects mission, budget and staff skills.
- Fee schedule is: based on a well-defined rationale; documented; accessible to staff and clients; consistently implemented. It should also accommodate client need for sliding fee scale or fee waiver

Administration

- ▶ **Liability and malpractice insurance are maintained for Directors, Officers, host agency, and for legal staff**
- ▶ **Training policy is developed with minimum annual immigration law training requirements for each legal staff person with resources supported by the annual budget**
- ▶ **Immigration law resources are maintained and updated in print while also accessible electronically with minimum resources including the Immigration and Nationality Act, the federal regulations (8 CFR), a general treatise on immigration law and specified areas of representation, and precedent decisions by the BIA**
- ▶ **Case management system is developed and consistently used, including: intake format and procedures; detailed and comprehensive client services agreement; client contact information; open and closed file policy; case file organization with case notes; secure file location (including internet-based software); use of electronic case management database with notification "tickler" system; use of hard-copy case management system as a back-up; and file retention policy including client notification**
- ▶ **Technical assistance by external experts for legal and programmatic needs is accessible and accessed, particularly from CLINIC's Immigration Information Support Line and staff from the Center for Citizenship and Immigrant Communities.**



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

- Staff organizational chart has clear lines of accountability and supervision
- Technology needs are met by budgeting and scheduling updates for computers, software, and training, and participating in training on full use of immigration software
- Job descriptions are provided for all program staff
- Program director regularly engages parent organization leadership on behalf of the program's current activities and objectives for growth and improvements
- Participation is active in local, state and national pro-immigrant coalitions
- Administrative and legislative advocacy is appropriately engaged in at local and national levels for individual cases and policy concerns

Legal Services

- ▶ **Legal staff are qualified to do the work assigned**
- ▶ **Confidentiality policy is documented, signed by staff and volunteers and followed**
- ▶ **Legal ethics rules are known and adhered to by all legal staff**
- ▶ **Conflicts of interest policies are documented and signed by staff**
- ▶ **Client agreements are: translated or interpreted for each client as necessary; detailed as to the services to be provided, scope of representation and the responsibilities of the client and legal representative; signed by all parties; copied for the client; and maintained in the case file**
- ▶ **Legal services in the forms of full and limited scope representation, pro se assistance, pro bono referral, and community and group presentations are pursued pursuant to agency policy and in keeping with other professional rules and procedures outlined by relevant state bars, the American Bar Association, and the Executive Office of Immigration Review**
- ▶ **Quality control procedures are used consistently by supervisors and experienced staff to ensure that all staff apply the best legal approach and level of services**
- ▶ **Referral sources are vetted for legal qualifications, professionalism and expertise and used appropriately when staff discern that a client is better served with representation outside the agency**

Community Development and Advocacy

- Relationships are developed with non-paid support personnel (volunteers, interpreters, *pro bono* attorneys, law students, and non-law student interns) and established policies guide the responsibilities and scope of work for each category of volunteer
- Community outreach strategies are developed to educate on immigration issues, build institutional partnerships, and draw clients to charitable immigration services



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

- Marketing strategies are identified, including case studies with successful outcomes
- Advocacy and media relations policies are established with clear guidance as to which staff will speak to the media or government officials

Financial Controls

- **Financial Controls and procedures, including checks and balances, are documented and maintained for: treatment of fees; payroll; accounts receivable; accounts payable; inventory; and fixed assets**
- Spending is monitored and in conformity with approved budgets
- Monthly revenue and expense reports for general operating funds and grants are produced and analyzed
- Fee decisions and money transactions are handled separately, from legal staff duties
- Fee payment policy prioritizes acceptance of funds by money orders or cashier checks for both charitable program services and government filing fees
- Resource development plan is established and updated to include potential, diverse sources of funding from government, foundation and corporation grants; private donors; parent agency subsidy; and client fees
- Marketing plan for fundraising purposes is developed with key tools including: annual report; program report; program highlights and impact statement; service statistics; successful client case studies; client/supporter testimonials; and request for cash and in-kind support