

INTRODUCTION

Who Is This Manual For?

If you are reading this manual, your agency is already engaged in providing immigration legal services or is contemplating doing so. If you are already providing such services, you understand how acute the need for competent legal services is in your community and you may be thinking about expanding the scope of the services you offer.

If your agency is considering offering immigration legal services for the first time, you may be planning to start a program from scratch with the support of other community partners or thinking of adding the provision of legal services to the menu of social services you already offer. Perhaps you are a refugee resettlement agency that wants to offer immigration services to your refugee clients. Perhaps you offer ESL and citizenship classes and many of your students are asking for your help in completing the necessary legal work to become citizens. Perhaps you are part of a church or other community organization that works regularly with immigrants, and have realized that they need low-cost immigration legal help.

If you already offer immigration legal services, you may be looking to expand your program, or to make your existing program more systematized and professional. You may be considering adding more staff, and trying to decide what kind of staff to hire. You may be looking for ideas about how to set up program management systems for a program that has been operating for a while without many.

This manual recognizes the importance of providing legal services to immigrants and strives to make it easier to start or expand such a program. The goal of this manual is to explain the key elements involved in making a decision regarding the creation or expansion of an immigration legal services program and to lay out the principles, practices, resources and model documents necessary to operate a well-managed, financially sustainable, high quality program.

Because nonprofit immigration legal programs come in a wide range of shapes, sizes, and locations—from agencies with multiple attorneys on staff to agencies with one or two accredited representatives, from agencies in remote rural areas to agencies in large urban areas, from agencies that handle a few immigration services to agencies that take on a wide range of immigration matters, from agencies that are part of large national networks to stand-alone agencies—we have tried in this manual to provide guidance to different types of programs. Many practices will be common to all providers, but certain programs face their own unique challenges, and we have tried to address as many of those as possible.

What's in the Manual?

Chapter One, “Internal Support,” discusses how to secure internal and external support for your program, whether you're starting a new program or expanding an existing one; how to know if you are ready to begin a legal program; doing a needs assessment; and creating and using a business plan for your program.

Chapter Two, “Space, Equipment, and Tools,” describes the physical things you need to run a legal program. The chapter covers office space; computer hardware and software (with attention to confidentiality requirements and security concerns); library materials; and legal malpractice insurance.

Chapter Three, “Staffing,” delves into the different staffing choices available in a nonprofit immigration program. It covers the kinds of work that attorneys, accredited representatives, law graduates and law students may legally do; the kinds of work that non-accredited staff may legally do; hiring and retraining considerations; supervision of legal staff; managing a program in multiple physical locations; and effective use of volunteers, including interpreters.

Chapter Four, “Authorization,” explains what constitutes “unauthorized practice of law” and provides instruction on how to avoid it by gaining Board of Immigration Appeals recognition for your agency and accreditation for your non-attorney staff.

Chapter Five, “Case Management,” explains why case management systems are essential to providing competent, ethical legal services, and provides detailed models for numerous aspects of case management, including intake; case opening; client service agreements; scope of representation; case file organization and management; date tracking; and case closing.

Chapter Six, “Managing Financial Performance,” walks you through how to create and use a budget for an immigration program; how to set fees for services; and different sources of funding for immigration legal programs.

Chapter Seven, “External Relations,” covers media relations, administrative advocacy, lobbying, and community outreach.

Attachments

Following each chapter are numerous attachments. We have chosen them as useful models for a wide range of documents you may need—from intake forms to case management policies to business plans to media policies. Feel free to adapt and use them in your program.

A Note On the Text Box Stories

Throughout the manual you will find text boxes. Many contain stories from immigration legal programs around the country. They are intended to serve both as useful models and as cautionary tales.

All of the stories related in the boxes are real stories—we have not fabricated any of them. You will notice, however, that while some stories are attributed to specific programs, others are not. We are delighted to recognize the great work of agencies whose stories and models are attributed. Names and identifying details are changed in the unattributed stories to protect the agencies and individuals in question.