

Reaching Illinois Immigrant Communities

Building Legal Services Capacity In Advance of Immigration Reform



**Prepared by the
Illinois Immigration Legal Aid Collaborative**

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Cover photo by Alexandra Strada.

Information in this report does not constitute legal advice, and immigrants are encouraged to seek legal advice from a licensed immigration lawyer or Board of Immigration Appeals-recognized organization.

Executive Summary

This report provides an overview of current immigration legal service capacity in Illinois and identifies actions needed to expand access to information and high-quality legal services for low-income immigrants should Congress pass immigration reform. We estimate that 511,000 Illinois residents may be eligible to seek legal status if comprehensive immigration reform passes. The majority of these individuals need legal consultations before applying to assess their eligibility for reform and other relief and to avoid deportation. The Urban Institute projects that each legal organization in Illinois would need to assist in the preparation of 13,000 applications during the one-year enrollment period.¹ Projections like these underscore the necessity for immediate investment in infrastructure updates and strategic planning.

To meet this challenge, members of the Chicago and Illinois legal services community formed the Illinois Immigrant Legal Aid Collaborative (IILAC) in 2013 to create a cohesive statewide network of immigration legal service providers and to identify ways to increase the collective capacity of providers. Collaboration is particularly critical as federal immigration laws are poised to change in ways that will allow millions of new individuals and families to seek immigration benefits through a complex and lengthy legal process.

Based on interviews with members of the legal services community, a 2013 DePaul University College of Law conference of Illinois community-based organizations, two recent surveys of Illinois immigration legal service providers, and fall 2013 convenings of the IILAC steering committee and its member immigration legal aid organizations, IILAC identified four primary recommendations to increase legal services capacity in preparation for the passage of immigration reform:

I. Expand immigration legal expertise. The immigration legal service community must increase the number of qualified immigration law practitioners. This goal may be achieved by expanding current immigration programs within Board of Immigration Appeals (BIA)-recognized organizations via additional locations and/or increasing the number of qualified BIA-accredited individuals.² These steps will allow legal service organizations to increase their capacity to handle immigration legal work. Organizations also should work to grow the field of trained *pro bono* attorneys and law students able to handle cases, and train non-legal volunteers to assist with aspects of immigration cases that are essential but do not require immigration expertise.

II. Invest in technological infrastructure. As part of this report, IILAC assessed organizations' current infrastructure needs and identified gaps, particularly in organizations' technological capacities. One response to these findings is currently underway: the creation of an online intake tool by Illinois Legal Aid Online. This intake tool should be expanded to include specific intake for applicants applying for benefits under immigration reform, and made available to immigration legal service providers. Organizations also must work together to develop effective referral systems for both applicants and inter-organizational use.

III. Maximize strategic coordination and collaboration to support legal aid organizations. Immigration legal service programs must increase collaboration to develop and share best practices for delivery of immigration legal services and to address constant changes in immigration law. Partnerships with civil society, including government agencies, are critical to supporting effective legal services. Organizations also would benefit from expanded technical assistance on how to diversify and increase financial resources through collaboration, and opportunities to do so.

1 Erwin De Leon & Robert Roach, Urban Institute, *Immigrant Legal-Aid Organizations in the United States* (Oct. 17, 2013), available at <http://www.urban.org/publications/412928.html>.

2 The Board of Immigration Appeals falls under the Department of Justice, Executive Office for Immigration Review. One of its core responsibilities is to oversee and regulate the practice of immigration law by non-attorneys. Organizations that wish to use non-attorneys to practice immigration law must follow a series of requirements and receive recognition. Non-attorneys wishing to practice immigration law must go through a separate but linked accreditation process, including application and training requirements.

IV. Build upon proven legal service delivery models. Because of the size, diversity, and broad geographic scope of Illinois' immigrant population, legal service providers will need to rely on a variety of models to reach and serve communities. Successful past models that should be considered include large-scale screening workshops, *pro bono* clinics, *pro se* materials, one-on-one legal services, and community and web-based application preparation and informational sessions of varying sizes.

These recommendations focus on maximizing efficiencies through strategic coordination, multi-level training, and infrastructure improvements. They draw on existing strengths and relationships, and incorporate lessons learned from past legalization efforts and recent experience with the Deferred Action for Childhood Arrivals (DACA) program. Though legal reform is still under debate, the prospect of new laws has already generated significant interest among immigrant communities who will benefit from thoughtful preparation and coordination by legal service providers and all others involved.

The data gathered through this recent effort demonstrate that the time to dedicate resources to improving legal services is now. Efforts must start today to support organizations to meet the expected demand for legal services. Expanding financial resources to build and sustain essential infrastructure and to increase legal expertise is key, as legal services organizations begin to address the future needs of Illinois' deserving immigrant communities.

Download the full report at immigrantjustice.org/IILACreport