Overview of Achievements, 2020-2021

Catholic Charities Community Services (CCCS) provides immigration legal services to residents of all 5 NYC boroughs and 7 counties of the Lower Hudson Valley (LHV). Two-thirds of those we provide services to are NYC residents; our client base is 75% composed of individuals, children, workers, and families from the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Colombia, Jamaica, Ecuador, Guyana, Haiti, Trinidad, and China. Mostly they hail from communities that live with significant economic and social disadvantage. This year, our staff served these communities remotely due to the pandemic, providing services via phone and video conferencing. During the reporting period, our staff, pro bono attorneys, law students and volunteers:

Screened 4,914 adults and children, providing 2,813 with in-depth legal counsel and advice, and accepting more than 1,400 new cases for representation.

Closed 1,167 cases (1,037 through administrative agency decisions and 130 through immigration and family court decisions), obtaining legal benefits that include 166 naturalizations, 198 green cards, 194 Deferred Action for Childhood Arrivals renewals and 38 grants of asylum.

Provided legal updates, Know Your Rights (KYNs) presentations, legal orientations and trainings by phone and through Zoom, Facebook, televised interviews, radio shows and printed materials to more than 66,000 people on topics including policy and regulatory changes, the immigration court process, rights during immigration enforcement actions, public charge, Temporary Protected Status (TPS), Deferred Action for Childhood Arrivals (DACA), resources for immigrants during the pandemic, how to avoid being defrauded by unscrupulous immigration providers, and more.

**Population Served:** Low Income Immigrants and Refugees

**Area Served:** New York City and 7-County Area of Lower Hudson Valley

**Total Funding:** $23,266,568

**Total IOLA Grant:** $460,000

**Staffing - Full Time Equivalents:**

- **Total Staff:** 119.00
- **Lawyers:** 42.00
- **Paralegals:** 34.00
- **Other:** 43.00
Bela and Bria are teenagers from Jamaica who arrived in the US when they were 10 and 8 years old, to flee the violence of their neighborhood in Spanish Town, where gang-based, political violence had made going to school nearly impossible. Their father was never in their lives, so they were raised by their single mother, Ana. In NY, Ana and her daughters moved into a homeless shelter, and she earned what she could cleaning homes and doing odd jobs, as she is also undocumented. The sisters have now graduated high school with honors. Bela showed an early interest in caring for others and is now pursuing a degree in Nursing at Queens Borough Community College. Bria, a star varsity athlete, began college courses online in marketing and after the pandemic hopes to enroll in a SUNY college on an athletic scholarship. CCCS filed family court petitions for SIJS which granted guardianship of the girls to Ana, a process that was finalized during the COVID-19 court shutdown. USCIS approved their SIJS applications and the sisters are eagerly awaiting their green cards, which will allow them to access PELL and other federally-funded education grants that will make realizing their career goals easier. During the pandemic, we also disbursed emergency financial aid to the family, as they are not eligible for any government help.

Lou is a Jamaican national in ill-health. When we met him, he was in immigration detention at the Orange County Correctional Facility. In April 2020, a new opportunity to advocate for people in immigration detention became available when a federal court granted a nationwide preliminary injunction requiring ICE to protect medically-vulnerable people in its custody from COVID-19 in a case called Fraihat v. ICE. We immediately submitted a “Fraihat release request” to ICE to supplement prior client advocacy for Lou. We also submitted a motion for bond to the immigration court, a request for humanitarian release to ICE and a petition for writ of habeas corpus in US district court. Just 2 days after we filed the habeas petition, Lou was released from ICE custody, we believe as a result of his membership in the class of detainees who are medically vulnerable to COVID-19. We are thrilled that we prevailed for this client, whom we will represent at an immigration hearing later in 2021.
Overview of Legal Related Services

Community Legal Education

Accurate information not only clarifies misconceptions, educates community members about immigration and other benefits they may qualify for, but also protects community members from exploitation and false counsel. This past year, we have allocated considerable resources to providing legal and policy updates to members of immigrant communities and stakeholders who work within these communities, at first in response to the Trump Administration’s “midnight” onslaught of anti-immigrant rules and policies, and recently in response to the Biden Administration’s efforts to roll-back some of these measures and to address other deficiencies in the US immigration system. Topics covered included the immigration court process, public charge, immigrant rights during enforcement raids, immigrant rights during protests, DACA, immigrant participation in Census 2020, resources available to immigrant NYers impacted by COVID-19, TPS for Venezuela, Biden’s immigration-related Executive Orders, the proposed US Citizenship Act, etc. Tools for sharing updates included KYRs, legal orientations and presentations (including KYRs for unaccompanied minors and legal orientations for their custodians); trainings for staff, other legal service providers and stakeholders who regularly work with immigrants; phone banks in partnership with local media to answer questions from the general public about specific topics (during this reporting period: DACA developments, Census 2020, Biden’s Executive Orders); media interviews, op-eds, and radio show appearances to discuss emerging issues; and limited distribution – given the nature of remote services – of Know Your Rights handouts. During this reporting period, our staff used these tools to provide community legal education – by phone, video conferencing, and handout distribution - to 66,608 participants: presentations to 62,972 individuals, telephonic legal orientations to 1,459 custodians of unaccompanied minors, 3 phone banks that provided information to 1,186 callers, and distribution of 991 handouts.

Pro Se Assistance

During the reporting period, we provided pro se assistance through remote clinics (57 participants) and ICH self-help workshops, where we assisted unrepresented immigrants in removal proceedings with the completion and filing of 226 asylum and work authorization applications, motions to reopen, motions to change venue and changes of address with the immigration court. We also mailed out self-help packages to 4,863 custodians and minors.
Other Legal Related Services Examples

Last year, we began a collaboration with ABCLatino Radio to provide weekly information sessions about pressing immigration issues and also submit a monthly piece for their digital magazine. ABCLatino covers Dutchess, Ulster and Orange counties in the LHV, sending a digital magazine to 8,000 recipients and reaching up to 2,700 listeners through weekly programs on WVKR 91.3 radio and the Robin Hood Radio network. ABCLatino programs are also posted on Facebook and YouTube, reaching up to 1,200 individuals. Topics our attorneys covered for ABCLatino audiences include public charge, TPS, remedies for immigrant victims of domestic violence, recent immigration-related Executive Orders and other changes immigrants can expect under the Biden Administration.

One of the more significant final rules of the Trump Administration, published in June and effective on August 25, 2020, dramatically limited eligibility for work authorization for asylum-seekers. The ability to seek proper work authorization allows families to stay together and support one another in their new home while awaiting a final decision in their asylum case, a process which often takes years to complete. With proper work authorization, asylum seekers are able to get jobs, contribute positively to local economies, learn additional job skills and improve their English. The new rule, however, not only increased the wait time from 6 months to 1 year before asylum seekers can apply for a work permit, but also imposed restrictive requirements and barred entire groups from eligibility. In an effort to assist as many asylum seekers as possible to obtain work authorization, ICH coordinated a remote clinic, enlisting law students and volunteers to help with pro se applications before the deadline. Over the course of a week, 43 pro se applications for work authorization were completed remotely and filed.

Impact Cases

- Ms. L. v. ICE - class action lawsuit contesting the legality of child/parent separation at the US border. CCCS is on an advisory committee of several NY-based children’s legal service providers that comment on the impact of the proposed settlement discussions on children’s legal rights. The case remains in ongoing settlement discussions and was recently remanded to a Magistrate Judge for the purpose of overseeing those discussions. The settlement would protect tens of thousands of asylum-seeking family units who reach the southern US border from arbitrary family separation by US Customs and Border Protection (CBP). Estimated annual impact: 5,000.

- D.J.C.V et al. v. US - the case is a damages action seeking accountability for the administrators of the Family Separation Policy, filed on behalf of a father and 19-month-old son who were apprehended at the border and separated for 6 months. It was filed in the Southern District of New York on October 4, 2018. On December 22, 2020, 7 groups – including CCCS - filed amicus briefs. This lawsuit could impact the thousands of families affected by the Family Separation policy.

- Make the Road New York et al., v. Cuccinelli et al. - In response to the Department of Homeland Security's release of new public charge regulations, this case was filed seeking to prevent the rule from taking effect. The new public charge rule imposed age, health, education, skills, income, language, and wealth requirements on immigrants seeking to become permanent residents, and penalized them for even minimal use of public benefits. CCCS, an organizational plaintiff, devoted significant resources to educating immigrant communities about the effects of the rule and has documented the widespread fear caused by the rule, which drove even those who were not subject to the new provisions to forego much needed public benefits. On March 9, 2021, the plaintiffs and defendants filed a joint stipulation to dismiss the defendant’s appeal to the US Supreme Court, which means that the new public charge rule will not take effect. In FY2019, USCIS received an average of 115,996 adjustment of status applications that are subject to public charge and an average of 55,392 extension of status/change of status applications that would have been subject to public charge under the new rules per quarter. Thus, the estimated impact is approximately 171,388 applicants per quarterly period.
Significant Collaborations

- CCCS has a long standing history of partnering with other legal service providers, community-based organizations and base building groups, local and state agencies, law schools and law firms, and other stakeholders to create partnerships, develop innovative programming, and improve gateways for immigrants seeking assistance and justice. Significant partnerships include:

- ActionNYC – ActionNYC offers free, safe immigration legal help in a network of trusted community-based organizations, public health facilities, public schools, and libraries. Our ActionNYC in Schools team provides legal services to foreign-born students in community schools. During the reporting year, CCCS collaborated with two other ActionNYC providers, the Immigrant Justice Corps and the New York Legal Assistance Group, to advocate for changes to contract expectations given the obstacles presented by the pandemic. This led to further conversations with the Mayor’s Office for Immigrant Affairs (MOIA) regarding citywide rapid response initiatives, reporting requirements, and effective referral systems. In September 2020, ActionNYC in Schools partnered with Brooklyn Law School’s Immigrant Visa Assistance Project, placing 10 U visa cases with participating students who are mentored by our staff. CCCS also operates the citywide ActionNYC Hotline, which makes appointments at ActionNYC sites and answers immigration-related questions. In this capacity, we work closely with MOIA and all ActionNYC providers to coordinate appointment priorities, identify and respond to call trends and emerging issues, and organize phone banks.

- Immigrant Children Advocates Relief Effort (ICARE) – We continue to collaborate with The Door, KIND, The Legal Aid Society, Make the Road NY, and the Safe Passage Project at NY Law School in ICARE, a program funded by the NYC Council provide free legal services to immigrant youth facing deportation. Through ICARE, we participate in coalition-wide trainings on novel legal issues affecting immigrant youth. We have also collaborated with ICARE partners on federal litigation to protect the rights of unaccompanied youth to seek SIJS.

- Through the End the SIJS Backlog project, we work with a national coalition of immigrant advocates, including legal service providers, professors, and directly impacted individuals. The project provides policy recommendations and advocacy intended to provide approved SIJS petitioners with immediate access to a green card rather than having to wait for years for visas to become available.

- Lower Hudson Valley. Our coordinating attorney is deepening and increasing local collaboration on various projects to better serve immigrant communities in the 7 counties we serve. Since April 2020, she developed and delivered trainings on immigrant rights and access to benefits during COVID-19 to case management teams in Orange, Ulster, Sullivan and Rockland counties and at the Newburgh Public Library; coordinated and participated in 7 in-person, outdoors community events featuring pop-up food pantries, health services, eviction prevention programs, and other community service providers; and began revitalizing the Eastern Dutchess Immigration Coalition, hosting monthly virtual meetings for a network of over a dozen providers who work closely with immigrants. We also participate in several other local coalitions focusing on issues that affect immigrants, including Hudson Valley Immigrant Advocates, where we serve on the steering committee and develop the agenda for meetings; the NYIC Westchester Steering Committee; the Rockland Immigration Coalition; Proyecto Faro; the Orange County Safe Harbor Trafficking Task Force; the Newburgh Healthy Black and Latinx Coalition; and the Westchester Women’s Agenda.
Other Services...

Technology and Other Innovations

As the pandemic forced us to serve people in a remote setting, we turned to many technologies and innovations to ensure quality access to immigration legal services. For remote consultations, attendees have the option of completing the consultation via regular phone, WhatsApp video, Google Meet, or Zoom depending on their level of comfort. For remote pro se application assistance, we partnered with Formally, a start-up company that translated the immigration forms for asylum and employment authorization into a user-friendly format. Participants and volunteers were able to use Formally to ask simplified questions and take those answers to fill in corresponding sections of the actual immigration applications. The program allowed us to create a more editable PDF for both types of applications that we are currently using for remote application assistance through ICH self-help workshops.

Trainings

Our legal staff receive in-house, hands-on training on cases undertaken for representation from supervisors, and have access to substantive law and skills-based training opportunities through the NYIC, the American Immigration Lawyers’ Association, Immigration Advocates Network, and CLINIC. Our attorneys and paralegals are also active on various local and regional list serves and working groups. They also attend mandatory monthly staff meetings (now held weekly via remote conferencing), where directors and attorneys review developments in case law, regulations, and local/national policies. During our remote work, staff meetings are being supplemented with bi-monthly attorney and paralegal roundtables on new developments and case strategies.

In 2020, CCCS senior attorneys developed a series of in-house trainings, covering topics including: effective legal writing, filing notices of appeal, motions to reopen, preparing work authorization applications and fee waivers, immigration consequences of criminal history, and public charge. CCCS is taking steps to become a CLE provider and has recently received CLE credit for an ethics training.

In the fall of 2020, CCCS provided a series of trainings focused on racial justice, exploring and engaging with colleagues in small group discussions on the topics of implicit bias, white supremacy, and courageous conversations. These trainings have led to the development of a staff-led Black, Indigenous, and People of Color (BIPOC) committee that will work with divisional leadership to ensure that diversity, equity, inclusion, and racial justice are at the forefront of our decision making and service delivery.
Pro Bono Volunteer Involvement

During the reporting period, 146 pro bono lawyers donated 9,730 hours of their time to CCCS clients, 22 law students – including summer interns – spent almost 5,000 hours on cases and pro se assistance through ICH, and 39 other volunteers assisted with interpretation, document translation, and administrative and logistical support for a total of more than 2,400 hours. Our Pro Bono Project placed 106 immigration matters during the pandemic. Unlike in past years, nearly 60% of these were affirmative cases. This is unusual for the Pro Bono Project, which focuses on building capacity for removal defense, and is a direct result of the immigration court remaining closed for more than one year. New volunteer recruitment has been down overall since March 2020, in terms of both individual attorney engagement and law firm partner engagement. While this continues to be an area of concern among NYC pro bono programs, we have begun to see an increase in volunteer interest following the inauguration of the new President.

In October 2020, we held our first virtual Pro Bono Celebration Event, with over 80 participants in attendance, including over 25 firm representatives, where we shared in successes and sorrows of the past year and celebrated our community. Following this event, we began our second annual End of Year Giving Campaign, reiterating our successes and sharing information about needs with both individual pro bono partners and law firm partners. Our goal with this communication was to share news about our project’s growth, successes and programmatic profile so that our pro bono volunteers could see a bird’s eye view of the total work that their participation supports. We also provided detailed information about our needs, including financial support for client application fees, expert affidavits and testimony, and attorney training and professional development. This outreach led to renewed conversations with several existing law firm partners early in 2021 to discuss collaboration over the coming year. We also raised more than $17,500 for our clients from these efforts.

In late 2020, the Pro Bono Project re-engaged the Westchester County Bar Association for volunteer attorney recruitment and we are now partnering to provide a series of 4 CLE SIJS trainings to their members and other volunteer attorneys.

Pro Bono Statistics

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<td>Other Volunteers:</td>
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Sources Of Funding

- IOLA Grant: $460,000
- Foundations: $2,105,248
- State Funding: $3,845,952
- Fundraising: $275,421
- Other: $16,579,947
- Total: $23,266,568