Overview of Achievements, 2020-2021

Major Achievements: The Immigration Legal Services (ILS) Program at Journey’s End Refugee Services continues to dedicate our practice to U.S.-based immigration law, serving low-income immigrants across Upstate New York. This year, we closed 938 cases, benefiting 958 individuals; provided legal education to 1,788 community members; provided 69 individuals with pro se assistance; and referred 108 individuals for appropriate services. A total of 13 volunteers helped us meet these critical needs.

Primary Target Population—Our primary target population remains immigrants and their families residing in the twenty-two counties we serve whose incomes are below 125% of the Federal Poverty Guidelines. Included in our target population are refugees, asylees, pending asylees, immigrants with temporary status, SIVs (immigrants with Special Immigrant Visas), undocumented immigrants, lawful permanent residents (green card holders), and naturalized U.S. citizens. This year, we assisted members of these communities as they navigated the rapidly changing immigration policies of the outgoing Trump administration, followed by those of the incoming Biden administration. We prioritized those who were especially vulnerable to these changes under the Trump administration’s continued implementation of anti-immigration policies. We then worked to identify potential opportunities and relief in the immigration-related Executive Orders issued by the Biden’s administration’s beginning months.

Dollar or other benefits realized—Benefits from our services were substantial. This year, our ILS Program staff helped qualifying individuals seek: protection from persecution (asylum and withholding of removal); protection from torture; temporary reprieve from returning to a country where conditions are unsafe; legal permanent resident status; and naturalization in order to become U.S. Citizens. Program staff also helped petition for our clients’ overseas spouses, children, parents, and siblings in order to reunite their family units in the United States. Many clients realized the additional benefit of work authorization due to their change in status, often crucial to obtaining sustainable employment, affording safe housing, and supporting a family. While our legal services are free, we helped our clients obtain fee waivers where expensive government fees applied.

Population Served: Low Income immigrants and Refugees

Area Served: Western Region of New York State

Total Funding: $1,582,066

Total IOLA Grant: $75,000

Staffing - Full Time Equivalents:
- Total Staff: 20.61
- Lawyers: 12.20
- Paralegals: 3.00
- Other: 5.41
This year, we finally completed our representation of a father and son from Iraq in their defensive asylum application process in Buffalo Immigration Court. They came to the United States in 2013 and were retained for their affirmative asylum application before U.S. Citizenship and Immigration Services in 2014. The family owned a transportation company in Baghdad that assisted U.S. military troops after the overthrow of Saddam Hussein. The company worked with the U.S. in building structures and delivering materials to various U.S. bases in Iraq. Family members also assisted the U.S. military with interpreting and translating. Because of their perceived affection for U.S. presence in Iraq, our clients and their family became the target of various militias and anti-U.S. groups, causing the death and injury of over half a dozen family members since 2005. The family fled to the U.S. for their safety. Our clients faced various hurdles through their U.S. asylum process since first applying in 2014, including unreasonable arrest and detention by ICE officers while fishing in a public park. After their release, they were erroneously denied asylum at the affirmative level, and their case was referred to an immigration judge for adjudication. Nearly 6 years later, and after a lengthy trial in Immigration Court, the immigration judge granted our clients asylum and welcomed them into the United States as asylees based on persecution they experienced in Iraq.

This year, we also defended a young Christian couple from Angola who fled to the United States in fear for their lives. The couple were very involved with their church and are devout Christians, but the husband’s father was accused of practicing witchcraft in their community. In Angola, witchcraft is a traditional practice in which people believe that dark spirits and sorcery are used to harm others. Those accused of witchcraft have been ostracized, tortured, and even killed by the communities that they live in. In order to punish the family, community members broke into the couple’s home, tortured the husband and raped the nine-month pregnant wife. The child was later delivered stillborn. After these events, the father of the husband was burned alive, and the sister of the husband was killed. The couple finally fled their home, arrived in the United States, and faced removal proceedings in Buffalo Immigration Court. They resided at VIVE for the duration of their trial, a shelter for asylum-seekers ran by partner agency Jericho Road, and the site of one of our satellite offices. Our attorney at VIVE worked tirelessly and carefully with the clients to prepare them for a difficult testimony, after which they were granted asylum by the immigration judge. Now asylees with indefinite and valid legal immigration status, they continue to live in Buffalo with their new young daughter.
In addition to direct representation, we also provided community legal education, legal clinics, legal consultation days, and pro se assistance. At community legal education events, we presented to community members—immigrants, civically engaged non-immigrants, social workers, students, DOJ Accredited Representatives, and prospective employers of noncitizens at information sessions and trainings on topics including: Changes to Federal Immigration Policies; Family-based Immigration and Overseas Processing; Proposed Policy Changes to Fee Waivers; Violence Against Women Act; Special Immigrant Juvenile Status; NYS Green Light Laws; Removal of Unaccompanied Children; Medical Forensic Evaluations in Asylum Cases; Citizenship Test Updates; DACA Litigation; Parenting in the United States; Constitutional Rights in Criminal and Immigration Proceedings; Changes to Public-Charge-Related Inadmissibility; Rights When Stopped by ICE or Local Law Enforcement; Warrants and Consenting to Searches; Deportable Crimes; TPS Programs; Applying for and Deriving U.S. Citizenship; Locating Relatives in ICE Custody; Emergency Family Planning and Preparation; Rights During an Immigration Raid or Criminal Arrest; and Awareness of Fraudulent Immigration Help. We also provided legal clinics where individuals received an attorney’s counsel or referral. Clinics were available weekly at our Buffalo office, and regularly at our partners’ offices, including ACCESS of WNY, Jewish Family Service of Buffalo and Erie County, the Economic Opportunity Program in Elmira, and at the Buffalo Federal Detention Facility in Batavia. We held monthly legal consultation days at ONA Opportunity Centers—HOPE Refugee Drop-In Center, Catholic Charities of Tompkins/Tioga, Catholic Family Center in Rochester, and the American Civic Association in Binghamton (where we also provide regular technical legal assistance, described below in “Partnerships”.) Our attorneys provided pro se assistance to individuals seeking adjustment of status, naturalization, employment authorization, family reunification, and asylum. After advising pro se applicants of the limited scope of assistance, our attorneys reviewed applications, explained any complicating issues, assisted in drafting addenda/cover letters, and advised on required evidence, filing deadlines, and submission protocol.
Other Legal Related Services: Examples

Our Staff Attorney provided a presentation on Parenting in the United States to eight different community groups throughout January and February 2021. An interpreter was present for each group to interpret in Swahili Karenni, Karen, Tigrinya, Arabic, Burmese, Bengali and Spanish. These Multilingual Parenting Sessions were held in conjunction with Buffalo Public Schools and partner agency Jewish Family Services. Our audiences included immigrant parents with children in the Buffalo Public School System. Our presentation focused on legal issues that new refugees to the United States must understand, including what constitutes domestic violence, child abuse, and child neglect. We discussed the responsibilities of parents in the U.S. with respect to supervision of children, educational needs, nutrition, medical services and providing necessities such as clothing and shelter. We explained the role of Child Protective Services and mandated reporters. Finally, we discussed the laws around children in cars, such as the need for child seats and not leaving children alone in a car. These issues are important as parenting in other countries can be very different, especially around discipline and supervision, and what might be considered normal in another country could be considered abuse or neglect in the US – potentially leading to serious consequences for refugees including CPS involvement, charges of abuse or neglect, or deportation. Another Staff Attorney provided a presentation on Protesting, Interaction with Law Enforcement, and Curfew with BestSelf Behavioral Health, where we discussed rights during protests, how to interact with law enforcement during a protest, what to do if your rights are violated, what to do if detained or arrested by police or ICE, and other practical considerations.
Other Services

Significant Collaborations

Collaborations are among our most valuable resources, helping us holistically address client needs through our own services and those of our partners. Our most significant collaborations come through our continued designation as NYS Office for New Americans Legal Counsel for Upstate New York, and in that capacity, our work with ONA Opportunity Centers. Partnerships under this project are maintained across Western New York, the Finger Lakes, and the Southern Tier, and include the American Civic Association in Binghamton (an Opportunity Center and physical location of our Southern Tier office); Catholic Family Center of Rochester (an Opportunity Center and physical location of our Finger Lakes office); Catholic Charities of Tompkins/Tioga in Ithaca; VIVE in Buffalo (a Jericho Road asylum shelter); and the Hope Refugee Drop-In Center (also a Jericho Road project and an Opportunity Center for Western New York). Our collaborative efforts with these partners include: technical legal assistance; program development; mentoring DOJ Accredited Representatives; annual review of naturalization policies and procedures; monthly legal consultation days; pro se assistance; community information and Know Your Rights (KYR) programming; intakes on cases for potential direct representation; and ongoing availability for assistance with immigration inquiries. By these efforts, we expand access to immigration legal services from qualified representatives in our service area. We also fill gaps in partners’ services by directly engaging with the individuals they serve, for instance, by attending monthly legal consultation days and providing direct representation where needed. In addition to these efforts, we have also continued our commitment to local partners, including the Arab-American Community Center for Economic and Social Services (ACCESS) where we provide monthly legal clinics, and the Western New York Center for Survivors of Torture (WNYCST)—a program of Jewish Family Services.

Our partnership with WNYCST provides torture-survivors with legal representation, case management, mental health services, and medical and forensic evaluations with University at Buffalo Family Medicine. We also partnered with BestSelf Behavioral Health, Inc., a mental health and substance abuse services provider, through which we offer weekly mental health consultations to clients. Other partners include Neighborhood Legal Services (providing assistance with public benefits law), Justice for Migrant Families (offering advocacy and social services to asylum seekers), and many more.
Trainings
This year, ILS Program and larger agency staff received ongoing optional and mandatory training. Some program staff sought accreditation through the Department of Justice to permit supervised practice of immigration law. Accreditation requires forty hours of Comprehensive Overview of Immigration Legal (COIL) education. COIL courses included: An Introduction to Immigration Law; Client Intakes and Retainer Agreements; Legal Authority Concepts in Immigration Law; Client Appointment and Interview Best Practices; Inadmissibility and Deportability; Family-Based Immigration; Becoming a Lawful Permanent Resident; Removal Proceedings; Humanitarian Relief; Citizenship and Naturalization; and Ethics. Substantive trainings were held for partner organizations but were also made mandatory for new staff, including: General Removal Defense; Overview of Defensive Asylum Claims, Process and Procedure; Trial Prep & Building a Record; and Client Interview and Trial Preparation. Other mandatory department trainings included the Prevention of Domestic Violence; Fair Housing; and Overcoming Barriers in Working with Deaf Communities. Optional external trainings attended included: Representing Noncitizens with Mental Illness in Removal Proceedings; Ethics & Malpractice; Consular Practice; Data Security, Privilege, Disclosure & Malpractice Liability in the Age of the Clouds; BIA and Circuit Court Appeals; Impact of COVID on Immigration Courts; Direct Examination Workshop; Article 81 Proceedings; Implicit Bias, Diversity, and Inclusion; DWI Border Issues; Stress, Anxiety & Depression in the Legal Profession; Obtaining Lawful Employment Authorization; Practical Social Media Use and Ethics for Attorneys; and Developments in TPS, DACA, and Public Charge. Mandatory trainings for all staff and/or leadership included Human Trafficking & Trauma-Informed Care; Supervisor Responsibilities & Complaint Procedures; Improving Communication Skills; Providing Effective Feedback; Sexual Harassment; Implicit Bias; and SMART (Specific, Measurable, Achievable, Relevant and Time-based) goals.

Technology
This reporting period we continued our customization and utilization of Cerenade eI Immigration, our cloud-based data tracking system, to streamline data collection, management, and reporting. Cerenade is a case-management platform that offers client, processes, and reports management; questionnaire tracking; U.S. Citizenship and Immigration Services priority times tracking; and electronic filing of immigration forms and applications. With the tools available on Cerenade, we are able to, among other things, complete forms with auto-population, collect client information in over eleven languages, and track current processing times with the U.S. Department of State visa bulletin. In addition to utilizing this highly effective and comprehensive case and data management tool, we also continued utilization of AILALink and Westlaw, two of the most effective database subscriptions available to immigration practitioners.
Pro Bono Volunteer Involvement

Traditionally, we recruit volunteers and interns through our website, university job postings, and multiple legal service career events at the University at Buffalo Law School. This year, we hosted 10 law student interns, 2 volunteer attorneys, and 1 additional volunteer, who primarily volunteered remotely. To equip interns and volunteers for remote work, we provided technology and off-site database access, as well as assignments involving legal research and telephonic appointments with clients. Volunteers also performed remote tasks including conducting intakes, completing forms, collecting evidence, and assembling and submitting filings. Training for new volunteers included a focus on meaningful virtual communication with clients, the importance of clarifying expectations with the supervising attorney, and the scheduling of frequent and regular check-ins. With volunteer assistance and support, we were able to better facilitate our transition to remote work, save significant attorney time, and ultimately serve a greater number of individuals in need. This reporting period, a new partnership with the University at Buffalo School of Social Work was established, through which a JD/MSW field placement extern volunteered from September 2020 to May 2021. During her entirely remote placement, she trained with her supervising attorney, met telephonically with clients, conducted research, and prepared briefs for cases before U.S. Citizenship and Immigration Services and Immigration Court. A key long-term project included assisting in an asylum case for a Kenyan client who was in deportation proceedings. She researched relevant case law and observed trial preparation, organized exhibits for the evidentiary filing, and prepared extensive reports on country conditions as they related to the client’s claim for asylum.

Sources Of Funding

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Pro Bono Statistics

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