



Immigrant Justice Program Capacity-Building Guidelines

June 6, 2022

Final

Community-Based Guidelines

Capacity Building Guidelines to Deliver Immigration Legal Services

Summary

Oregon Worker Relief is partnering with Equity Corps of Oregon in an effort to facilitate universal representation so that every eligible Oregonian can defend against an unjust or unfair deportation or defeat a civic exclusion on account of immigration status. Oregon Worker Relief is a statewide network of community-based organizations serving immigrant and refugee communities. OWR, through a collaboration with ECO, will issue capacity grants to qualified organizations to build immigration legal services infrastructure and capacitate individuals with lived experience of immigrant communities to provide immigration legal services.

Eligible organizations could receive up to \$40,000 for legal infrastructure capacity-building. Likewise, eligible organizations could receive an additional amount of funding, up to \$10,000, for training qualified individuals for training.

Part 1. Overview

Oregon Worker Relief is a community-governed initiative that uses an equity-focused design thinking approach to solve for the short-and long-term negative impacts of the COVID-19 pandemic on the underserved immigrant and refugee communities. See Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 86 Fed. Reg. 7009 (Jan. 25, 2021) (defining “equity” and “underserved communities”). The historic exclusion of these underserved communities from social and civic safety systems and recovery structures has urgent short-term implications, such as housing and food insecurity, and profound long-term implications, including marginalization, erasure, family separation, and civic exclusions.

The immigration legal precarity experienced by immigrant and refugee communities prevents access to public health systems (such as health care), civic support systems (such as unemployment and rental support), and other aspects of civic life. Oregon Worker Relief seeks to solve for these long-standing inequities by providing capacitation for OWR Network members in order to provide immigration legal services to impacted individuals.

PART 2. BACKGROUND

OWR seeks to provide equity-based capacitation to individuals with lived community experience and who could be attorneys or accredited representatives in order to support

the provision of immigration legal services to impacted communities. The grants will build capacity at community-based organizations serving the Oregon immigrant and refugee community, develop capacity for new legal representatives with lived community experience to work in the field and community, and create more community-centered solutions to mitigate immigration legal precarity associated with household instability. OWR will provide community engagement to support the provision of immigration legal services to eligible individuals in order to mitigate immigration legal precarity that contributes to household destabilization.

PART 3. DESCRIPTION

Eligible organizations could receive up to \$40,000 for legal infrastructure capacity-building and could receive an additional amount of funding, up to \$10,000, for training qualified individuals to minimally achieve the following deliverables:

Deliverable No. 1:

- Build organizational capacity to deliver sustainable, quality immigration legal services to Oregon immigrant, refugee, and migrant communities to end immigration legal precarity that contributes to household destabilization by creating specific policies, protocols, case management criteria, legal libraries, and other related items described in Appendix A;
- Apply for recognition under the federal U.S. DOJ Recognition and Accreditation program to provide immigration legal services; and,
- Participate in a community-governed program through Oregon Worker Relief for the certification of organizations as qualified providers for OWR Network immigration legal services, separate and apart from federal U.S. DOJ recognition and accreditation.

Deliverable No. 2:

- Develop individual organizational staff capacity to provide legal services under the U.S. DOJ Accreditation Program in order to mitigate immigration legal precarity and expand the number of individuals qualified to provide high-quality legal services by participating in and successfully completing:
 - (1) the Villanova Interdisciplinary Immigration Studies Training for Advocates or CLINIC's Comprehensive Immigration Law training; and,
 - (2) the National Immigration Project's removal defense training and removal defense skills training or similar trial skills training; and,
 - (3) applying for individual accreditation.

Funding Summary

Organizational Capacity Grants

Funding Mechanism:	Grant
Anticipated Total Available Funding:	\$200,000
Anticipated Number of Awards:	5
Anticipated Funding Amount per Award:	\$40,000
Project Period:	April 2022 to December 2023

Individual Staff Training

Funding Mechanism:	Grant
Anticipated Total Available Funding:	\$50,000
Anticipated Number of Awards:	10
Anticipated Funding Amount per Award:	\$5,000 per staff participant; \$10,000 per org for a maximum of 2 staff participants
Project Period:	July 2022 to December 2023

Administration of Award

Funds will be administered by Oregon Worker Relief. The Awardee will enter into a contracting agreement directly with Oregon Worker Relief. The Awardee may be required to comply with additional terms and conditions as required by or imposed by the City of Portland in compliance with a federal award.

Schedule

Interim Guidelines Published	4/8/2022
Comments Received	
Final Guidelines Published	6/15/2022
Applications Open	6/15/2022
Applications Due	7/15/2022
Award Decisions	8/1/2022

Reporting Deadline	To be determined
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Funding is not available for the following, at a minimum:

- Any activity that violates local, State, or Federal laws;
- Any activity that violates the terms or conditions of the City of Portland’s contract with OWR;
- Any activity that violates federal procurement or contracting law;
- Payment for services not directly related to the proposed activities; or,
- Lobbying activities.

PART 4. ELIGIBILITY

An organization must:

- Be an organizational member of the Oregon Worker Relief network;
- Have a connection with, serve, or support individuals who will or could appear at the Portland Immigration Court for an immigration matter;
- Has a professional history that demonstrates zealous and skilled advocacy for immigrants;
- Has experience or demonstrated ability to communicate with and advocate for immigrants from different cultures;
- Exhibits good moral and ethical character and has demonstrated professional demeanor;
- Agrees to participate in universal representation navigation;
- Agrees to the principles of universal representation;
- Is registered in SAM.gov and is not subject to debarment;
- Satisfies the Risk Management Criteria for federal awards; and
- Is eligible for a federal award.

Appendix

Summary of key components for capacity building.

The Appendix is illustrative and not exhaustive as to the types of policies, components, and services that may be developed through a capacity grant.

Current, curated print immigration law library	<p>The following <i>print</i> materials should be available with a plan in place to update them for at least 2 years:</p> <ul style="list-style-type: none"> - Kurzban's Immigration Law Sourcebook, 17th Ed. (and 18th Ed when available) - INA (AILA, 2022 Ed.) (and 2023 edition, when available) - Immigration Regulations (AILA 2022 Ed.) (and 2023 edition, when available) - ILRC Guide for Immigration Advocates, 22d 	\$1000
Computer Aided Legal Research Service	<p>A subscription to any of the following, for at least 2 years, paid monthly or annually:</p> <ul style="list-style-type: none"> - Fastcase, Appellate or Premium plan (Premium Plan included with Oregon State Bar membership) - AILALink (with access to Premium Fastcase) - Casetext, Advantage Plan - Any similar service 	\$3000
Electronic Case Management System	<p>A subscription to any of the following, for at least 2 years:</p> <ul style="list-style-type: none"> - LawLab (free to OWR Network members) - Clio - Any similar service 	
Immigration Forms Software	<p>A subscription to any of the following, for at least 2 years:</p> <ul style="list-style-type: none"> - DocketWise - ImmPro - Any other similar service 	\$1000
Professional Liability Insurance	<p>When eligible to provide legal services, a professional liability insurance policy for non-attorneys with at least \$250,000 per claim / \$300,000 aggregate coverage. This is distinct from any professional liability insurance required for Oregon State Bar membership. All attorneys</p>	\$4000

	must have professional liability insurance that conforms with the requirements of the Oregon State Bar's Professional Liability Fund.	
Organizational Memberships	Organizational membership in at least the following, when eligible, and subscriptions to listserves: <ul style="list-style-type: none"> - ASISTA Immigration Assistance - National Immigration Project of the National Lawyers Guild 	\$1000
Confidentiality Policy	A client confidentiality policy and training protocol that complies with Oregon's Rules of Professional Conduct, regardless if a lawyer is involved.	
Case Opening, Closing, and File Retention Policies	A policy and protocol related to opening, closing, and retention of client files and related matters.	
Conflict Checking Policy & Protocols	A conflict checking policy and protocol that complies with Oregon Rules of Professional Conduct regardless if a lawyer is involved.	
Calendaring and Docketing Protocol and System	A calendaring and docketing protocol that assures dates, events, deadlines, and case work is accounted for in a timely manner.	
Client funds and property policy	A policy and protocol when receiving client funds and property.	
Secure File System	A system for the secure storage of client files	
Time-keeping policy and protocol	A time-keeping policy and protocol for all legal representatives	
Internal Quality Review protocol	A protocol that promotes internal review, standardization, best practices, and quality control. The protocol should provide for the use of checklists, improve error detection, adopt a peer-review process, and include a continuous improvement process.	
Legal Quality Review protocol	A protocol to provide guidance for effective case management and adherence to practice standards for direct service staff.	

	Awardees will be eligible to participate in a collaborative expert technical assistance / attorney-of-the-day program, including case-specific consultations on immigration law and practice, sponsored through Innovation Law Lab at no cost.
On-going training, education, & skills-building policy and protocol	A policy similar in kind to Oregon State Bar's requirements for continuing legal education for all individuals involved in the provision of immigration legal services.

Best Practices

The Awardee will apply best practices at all times in the development of policies, protocols, and systems for the delivery of immigration legal services. The policies, protocols, and systems above describe the minimum necessary. The Awardee will be provided written protocols, templates, checklists, and guides at no cost to the Awardee. All Awardees will have access to, at no cost, attorney technical support for legal & case questions. Awardees will have access, at no cost, to an "attorney of the day" advisor for peer review, troubleshooting, and other case assistance.