

ASSESSING CAPACITY TO

PROVIDE LEGAL SERVICES

TO UNDOCUMENTED IMMIGRANTS IN ILLINOIS

Rob Paral & Associates



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SUMMARY OF FINDINGS

Illinois has many non-profit organizations that collectively provide a large quantity of legal services to immigrants. The capacity and sustainability of these organizations is always important, but the issue may become critical if the federal government approves new pathways to legal status that require the existing infrastructure to assist many more persons.

FOLLOWING ARE BROAD SUMMARIES OF SOME OF THE DISCUSSIONS WITHIN THE REPORT:

THE NEED FOR IMMIGRATION LEGAL SERVICES

Illinois is home to 425,000 immigrants without permanent legal status. These persons are about one in four immigrants. The number potentially in need of legal services would likely surpass existing non-profit legal capacity.

WHO ARE THE IMMIGRANTS IN NEED OF SERVICES?

At two-thirds of the population, Mexicans predominate among the undocumented in Illinois, but Asians are a growing share of undocumented immigrants.

As a group, the undocumented are increasingly “settled” in Illinois, having lived here for decades, with increasing English ability and income. Their numbers are declining in Chicago and rising elsewhere in the state, in near and far suburbs of Chicago but also in counties around the state.

These trends require increased services to new groups and new locations even while existing services in places like Chicago need to be maintained.

WHAT IS THE LEGAL SERVICES LANDSCAPE?

The non-profit legal services landscape includes

- Approximately 68 non-profit entities are involved with immigration services or outreach to immigrants in Illinois.
- The Illinois Access to Justice program, funded by the State of Illinois, helps undocumented immigrants apply for legal statuses and helps legal permanent residents with some immigration-related problems. About 39 organizations are supported.
- The New Americans Initiative, funded by the State of Illinois, assists immigrants with the naturalization process and helps immigrants apply for Deferred Action for Childhood Arrivals (DACA). About 48 organizations are supported.
- The City of Chicago Legal Protection Fund provides funding for some legal services to Chicago residents and supports public education “navigators.”
- Through an Immigration Unit, the Law Office of the Cook County Public Defender advises assistant public defenders representing immigrants in criminal court and launched in May 2022 its own removal defense program.
- The Immigration Funders Collaborative is a funders’ collaborative that supports about 35 legal service organizations.

THE GREAT MAJORITY OF DETAINED IMMIGRANTS – ABOUT 79 PERCENT – DO NOT HAVE LEGAL REPRESENTATION.

About 145 non-lawyers work in these organizations as accredited representatives who are approved by the U.S. Department of Justice (DOJ) to represent immigrants in applying for benefits and in some administrative proceedings. Only 16 accredited representatives, however, have full accreditation allowing them to represent clients in immigration court.

In sum, Illinois has created an impressively large immigrant legal services capacity, although it faces an increasingly high demand. The solid, though stressed architecture will need to be built-out further if a new federal pathway to legal status is created.

WHAT ARE LESSONS FROM DACA?

Most young immigrants eligible for DACA have not applied for or have not successfully obtained the deferred action status. Federal proposals might expand eligibility for a “DACA-like” status, but the question arises as to what resources would be necessary to achieve more successful participation.

WHAT DO THE SERVICE PROVIDERS SAY?

In general, legal service providers are overworked and under serious strain from large caseloads, the dire needs of clients, the stress of operating during the COVID pandemic and the anti-immigrant policies of the Trump Administration. Workers are at their capacity. Providers become enmeshed in assisting with related social needs such as housing and food insecurity. Clients have experienced trauma and staff suffer related trauma-induced vicarious stress.

WHAT HAVE WE LEARNED FROM EXISTING SERVICES?

For this report, we analyzed program data of the Illinois Access to Justice Program. The largest areas of immigration relief identified within the program have been for relatively specialized opportunities such as legal status for victims of human trafficking or domestic violence or for asylum. This reflects the fact that there are few pathways toward traditional immigration statuses based on family unification or workplace skills. Some geographic areas in Illinois have provided relatively more services than others.

WHAT DO WE KNOW ABOUT ENFORCEMENT AND REPRESENTATION OF DETAINED IMMIGRANTS?

The great majority of detained immigrants – about 79 percent – do not have legal representation. While Illinois law prohibits local jails and prisons from holding immigrants for Immigration and Customs Enforcement (ICE), ICE continues to identify individuals for enforcement following interactions with the criminal justice system. More than a third of ICE arrests, however, are made through underreported enforcement actions within communities. Illinois residents are held in ICE custody across the state and in neighboring states, complicating representation.

OVERALL OBSERVATIONS

With investments by the state, Cook County, and the city of Chicago, Illinois has admirably and dramatically increased the field of immigrant legal services in recent years. Yet the service infrastructure may soon be seriously tested as to its ability to serve even greater numbers of persons.

Top-level questions for the field include

- How to quickly increase services if a federal pathway to citizenship is made available?
- How to address existing “quantity vs. quality” tensions in delivering services (i.e., serving more clients or serving clients more sustainably)?
- How best to define the role for “accredited representatives” who are recognized to assist immigrants by the Department of Justice, and who can do many tasks normally allotted to attorneys?
- Which legal services are best provided at the community level and which are best provided on a regional basis?
- How will the Law Office of the Cook County Public Defender – which will soon be allowed to represent persons in immigration court – increase representation of persons beginning in 2022?

RECOMMENDATIONS

Based on the findings of this report, the following recommendations are presented to improve the delivery of immigration legal services:

To the Funding Community, Including Government Agencies and Private Philanthropy:

- Illinois needs significantly increased investment in immigration legal services across Illinois.
- Investment should be directed to multiple service models:
 - Community-based legal services that are situated close to or within immigrant residential areas. These service providers offer highly accessible and culturally appropriate services.
 - Centralized, regional services with specialists who can serve complex cases.
- Investment should be directed across the spectrum of immigration-related legal services, ranging from community navigators and outreach workers, through accredited representatives to attorneys
 - In particular, the number of accredited representatives and fully accredited representatives should be increased.
- Investment should be directed to training and capacity building needs:
 - Community navigators and outreach workers need constant training and updating on the state of public policy.
 - Persons seeking DOJ accreditation, and the organizations that host accredited reps, need support to complete the education and learning needed to get accredited. The trainers of accredited reps need support to increase their capacity.
 - Attorneys need funding at a wage that is competitive with the private sector and organizations that provide professional development need support.
- Investment goals should be widened:
 - Trauma-related therapeutic services need to be made available to legal providers. More than many other areas of law, immigration legal providers experience secondary trauma from their work with clients who have been in desperate situations.
 - Funders should support overwhelmed grantees by reducing caseload expectations and reporting requirements.

RECOMMENDATIONS (CONT'D)

- Funding, services and language capacity are needed in new areas of immigrant settlement, especially in outlying suburbs and in downstate Illinois.
- New funders are needed:
 - More counties and cities in Illinois should financially support legal services. Chicago-area suburbs and downstate locations are the new destinations for immigrants and they should begin shouldering more responsibility for their immigrant residents.
 - More philanthropic foundations should focus on legal services.

Other steps need to be taken to strengthen the sector:

- A fellowship program could be established to develop more DOJ Accredited Representatives (both partially and fully accredited).
- Thought and planning should be given to the question of how best to allocate services. In other words, which services are best provided at the community level and which are best provided on a regional basis? What are the best ideas for directing persons in need to the provider that is most equipped to help them?
- A salary analysis should be done to understand the field and ultimately raise all workers to a minimal level of payment. This would include attorneys, DOJ accredited representatives, support staff and navigators/outreach workers.
- Immigration legal case management systems are needed to facilitate collaboration across organizations and reporting. Systemwide efficiency is limited by the existing patchwork of systems used by organizations.



DISCUSSION QUESTIONS

AS YOU READ THIS REPORT, WE SUGGEST YOU CONSIDER A SET OF QUESTIONS THAT ARISE FROM THE FINDINGS:

IMMIGRANTS

- What are the most pressing legal needs that immigrants in Illinois have?
- How is the immigrant community changing and what does that mean for their legal service needs?

NON-PROFIT SERVICE PROVIDERS

- How do we make non-profit legal services sustainable?
- What are the most appropriate roles for accredited representatives?
- How do we provide more services to new areas of the state where immigrant populations are growing?
- How do we meet demand for more services in multiple languages?

WORKERS

- How can we reduce the significant demands placed upon workers in the sector?
- How can we help workers cope with the anxiety, stress and secondary trauma they experience?
- How can we “grow the field” of legal services workers with needed skills?

FUNDERS OF SERVICES, BOTH PRIVATE AND PUBLIC

- Should funding priorities change?
- Are reporting requirements as simple as possible?
- Are government and private funders of services prepared to increase funding levels -- and by how much -- if a new federal pathway opens?

INTRODUCTION AND BACKGROUND

WHY IS THERE A NEED FOR IMMIGRATION LEGAL SERVICES?

Illinois is home to approximately 425,000 immigrants who reside in the state but do not have a permanent, legal immigration status. This population includes persons with no formal status and persons with Deferred Action for Childhood Arrivals (DACA) or Temporary Protected Status (TPS). In this report, we use the term “undocumented immigrants” to generally describe this population. Another 500,000 persons have a legal permanent resident status, but are vulnerable to removal actions if, for example, they incur a criminal conviction.

The large undocumented population in Illinois to a great extent results from decades of federal immigration policy that has provided few legal channels for working-class immigrants. Illinois has long been a destination for Mexican immigrants, who play a large role in the state’s economy. Mexicans are about two-thirds of undocumented immigrants in Illinois. Yet legal immigration pathways for Mexicans to immigrate were actually narrowed over the latter decades of the twentieth century. The Bracero Program, which allowed migrant workers to work legally, was terminated in 1965, and in the late 1960s Mexican immigration was placed under a hemispheric immigration limit. In 1976 the U.S. brought Mexico into an immigration preference system which imposes an annual per country limit of 20,000 immigrants.

In recent decades, the disconnect between economic trends, human displacement by conflict and natural disaster, and other factors has increased the number of undocumented immigrants from other countries. The share of immigrants from Asia has grown and increasing political and environmental instability have caused growing numbers of Central Americans and South Americans to seek safety and opportunity in the state.

Undocumented immigration began an upward trend in the 1960s and 1970s and led to the passage of the Immigration Reform and Control Act (IRCA) of 1986. IRCA’s legalization programs, which mainly applied to persons living in the U.S. prior to 1982, revealed the extent of undocumented population: about 110,000 persons sought and acquired permanent residence in Illinois under IRCA.

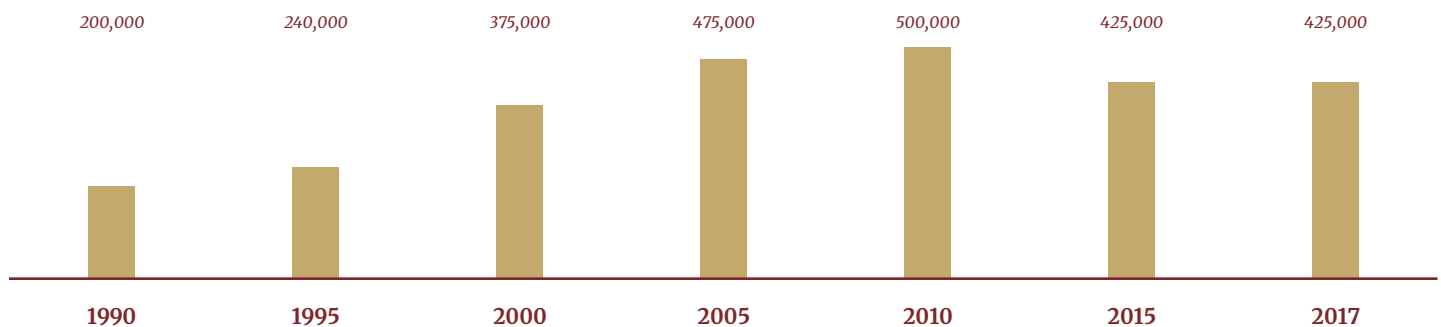
Without additional immigration visas becoming available on a regular basis, by 1996 the undocumented population in Illinois had risen to 290,000 persons. By the year 2000 there were 375,000 undocumented immigrants and by 2017 the number was 425,000. The high point was in 2010 and the population has declined in subsequent years.

¹1996 Statistical Yearbook of the U.S. Immigration and Naturalization Service

²These estimates are found at <https://www.pewresearch.org/hispanic/interactives/unauthorized-trends/>

³U.S. Unauthorized Immigrant Total Dips to Lowest Level in a Decade. By Jeffrey S. Passel and D’Vera Cohn. Pew Hispanic Center, at <https://www.pewresearch.org/hispanic/2018/11/27/u-s-unauthorized-immigrant-total-dips-to-lowest-level-in-a-decade/>

ESTIMATED UNDOCUMENTED POPULATION IN IL



The fact of a dysfunctional immigration system and the growth of a large undocumented population are two reasons why so many Illinois residents require immigration-related legal services. Additionally, immigration services are complicated and expensive. Numerous forms, affidavits and other documents must be filed by immigrants seeking immigration statuses. Filing an application with errors or mistakes can lead to permanent denial of residence and deportation. Immigrants who come into contact with immigration enforcement after having committed or been charged with a misdemeanor or felony need counsel with extensive experience in immigration law. Federal agencies like U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), and courts managed by the Executive Office of Immigration Review have byzantine processes that most individuals cannot navigate alone. Additionally, there is no right to counsel for noncitizens in removal proceedings.

A 1988 federal law required many immigration services to be funded via fees collected from applicants. Fees from applications are expected to offset bureaucratic costs, and those fees have steadily risen, to the point that, for example, an I-485 Application to Register Permanent Residence or Adjust Status currently costs \$1,140.

THE NEED FOR AN ASSESSMENT OF IMMIGRATION LEGAL SERVICES

The need for immigration services for undocumented immigrants has grown with the undocumented population and with the increasing complexity of immigration law. Furthermore, the Biden Administration is understood to be contemplating support for some, as yet undefined, changes to immigration law that might allow many thousands of immigrants to obtain legal status in Illinois. Given these facts, an assessment of the current capacity of Illinois organizations to provide legal services is necessary to understand how well poised the state is to serve persons under existing and possibly new immigration laws and to understand opportunities for expansion that may arise with the availability of additional financial resources.

This investigation into immigrant legal services in Illinois was conducted by Rob Paral and Associates during the spring of 2021. The report was commissioned by The Resurrection Project and supported with a generous donation from the J.B. and M.K. Pritzker Family Foundation.

WHO ARE THE IMMIGRANTS IN NEED OF SERVICES?

Illinois is home to about 1.8 million persons born abroad. About one million are naturalized citizens, about 400,000 are legal permanent residents and 425,000 are long-term residents who do not have a permanent immigration status.

Of the 425,000 without permanent status, about 34,000 currently have DACA, and another 45,000 may be eligible for DACA, as described later in this report. Several thousand may have Temporary Protected Status. Subtracting current and potential DACA recipients and TPS recipients from the population without permanent status leaves perhaps 360,000 immigrants. Attorneys and others interviewed for this report suggest that perhaps ten percent of the 360,000 immigrants are eligible for a status via asylum, the Violence Against Women Act or another channel. This leaves somewhat over 300,000 Illinois immigrants without any current options.

ABOUT 10,000 IMMIGRANTS IN ILLINOIS, BOTH WITH AND WITHOUT A FORMAL STATUS, WERE IN DEPORTATION/REMOVAL PROCEEDINGS IN A RECENT YEAR. ABOUT 70 PERCENT OR 7,000 DID NOT HAVE LEGAL REPRESENTATION.



MEXICO CONTINUES TO PREDOMINATE AMONG ILLINOIS UNDOCUMENTED POPULATION, BUT OTHER POPULATIONS ARE SUBSTANTIAL AND GROWING.

Understanding our capacity to serve the legal needs of undocumented immigrants requires awareness of the characteristics of the undocumented and how they are changing. An undocumented population that is shifting demographically, socially and economically will require evolving types of legal services. Evidence that undocumented immigrants are increasingly integrated would support the value of further improving their ability to make contributions to our society as legal residents.

Information on undocumented immigrants in Illinois are available from several sources including The Center for Migration Studies New York and local researchers. Here we summarize some of the major findings from these analyses and discuss their implications for legal services.

Of the undocumented population in 2010, 67 percent came from North America (nearly all from Mexico) and 11.8 percent from Europe. By 2018 those numbers had fallen to 64 percent and 8 percent, respectively. Meanwhile the percentage from Asia rose by more than four points and Asians are currently 17 percent of Illinois undocumented immigrants.

⁴ <https://www.injusticewatch.org/news/2021/public-defenders-deportation-immigrants/>

⁵ Center for Migration Studies New York, <http://data.cmsny.org/state.html> accessed June 3, 2021.

CONTINENT/ REGION OF ORIGIN OF UNDOCUMENTED IMMIGRANTS IN ILLINOIS

	2010	2018
TOTAL: ALL COUNTRIES	100%	100%
North America	67%	64%
Central America	4%	5%
Caribbean	0%	1%
South America	3%	3%
Asia	13%	17%
Africa	2%	3%
Europe	12%	8%

Source: Center for Migration Studies New York,
<http://data.cmsny.org/> accessed June 7, 2021

MANY UNDOCUMENTED RESIDENTS HAVE LIVED IN ILLINOIS FOR DECADES, AND LONGER-TERM, MORE SETTLED RESIDENTS ARE A GROWING SHARE OF THE POPULATION.

In 2010, about 55 percent of the undocumented population had been in the U.S. for ten years or more. By 2018 the share of such persons had risen to about 72 percent. In 2010, persons older than 35 years were about 43 percent of undocumented immigrants in Illinois. By 2018 they were 60 percent.

THERE ARE SIGNS THAT ILLINOIS UNDOCUMENTED IMMIGRANTS ARE ECONOMICALLY AND SOCIALLY MORE INTEGRATED.

The share of undocumented immigrants with health insurance was about 37 percent in 2010, but it had risen to 54 percent in 2018. The poverty rate of undocumented immigrants was 24 percent in 2010 but it had fallen to 16 percent in 2018. Over the 2010-2018 period the percent of undocumented immigrants estimated to speak English well rose from 53 to 62 percent. Some undocumented immigrants may not have English proficiency, but nevertheless own homes, businesses and pay local, state and federal taxes.

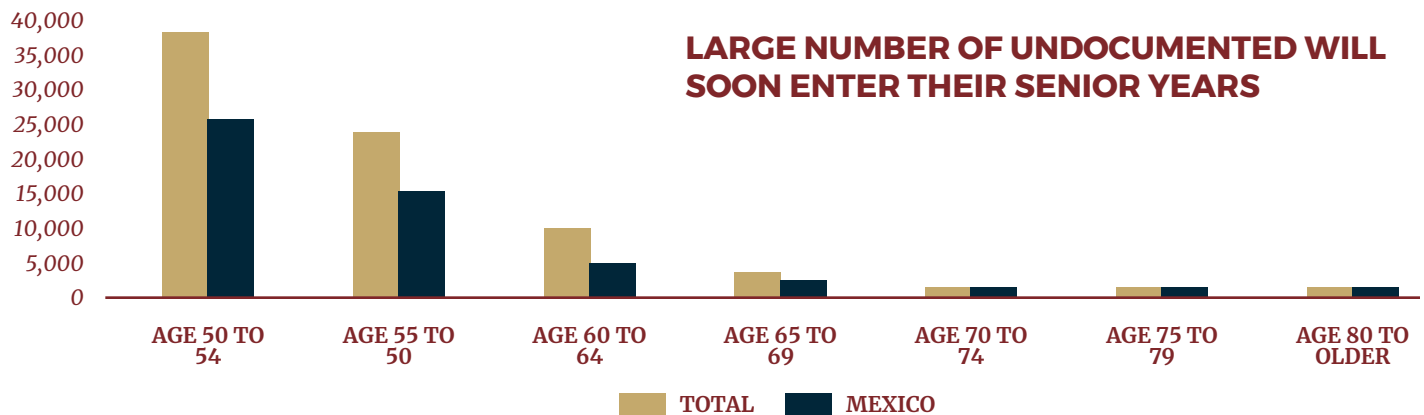
UNDOCUMENTED IMMIGRANTS ARE AGING.

There has not been a large-scale legalization since the 1980s and this means many undocumented persons arrived nearly forty years ago. Currently there are several thousand undocumented immigrants aged 65 or more years, but by 2030 the population will grow dramatically to about 55,000. The chart below displays the estimated age breakdown of undocumented immigrants in Illinois as of 2017.

⁶A Portrait of Older Undocumented Immigrants in Illinois Prepared for Rush University Medical Center By Rob Paral and Associates December, 2019

⁷Ibid.

THE COMING WAVE OF OLDER UNDOCUMENTED IMMIGRANTS IN ILLINOIS



ADDRESSING LEGAL NEEDS OF UNDOCUMENTED OLDER PERSONS HAS A DIRECT IMPACT ON THEIR FAMILIES.

Undocumented immigrants usually live in “mixed status” families that may include persons who are U.S. citizens or who have a variety of immigration situations. Adjusting immigration status for the undocumented has positive ramifications for their larger group of family members.

UNDOCUMENTED AND OTHER IMMIGRANTS ARE INCREASINGLY SPREAD ACROSS SUBURBAN METRO CHICAGO AND DOWNSTATE ILLINOIS. NEW COUNTRIES OF ORIGIN AND NEW LANGUAGES ARE APPEARING IN ILLINOIS.

Data on noncitizens (both the undocumented and legal permanent residents) point to an ongoing shift away from the city of Chicago. Between 2000 and 2020 the share of noncitizen immigrants (both legal permanent residents and the undocumented) living in Chicago fell from 44 to 34 percent. The share living in the collar counties of metro Chicago rose from 23 to 27 percent and the share living downstate rose from 8 to 11 percent.

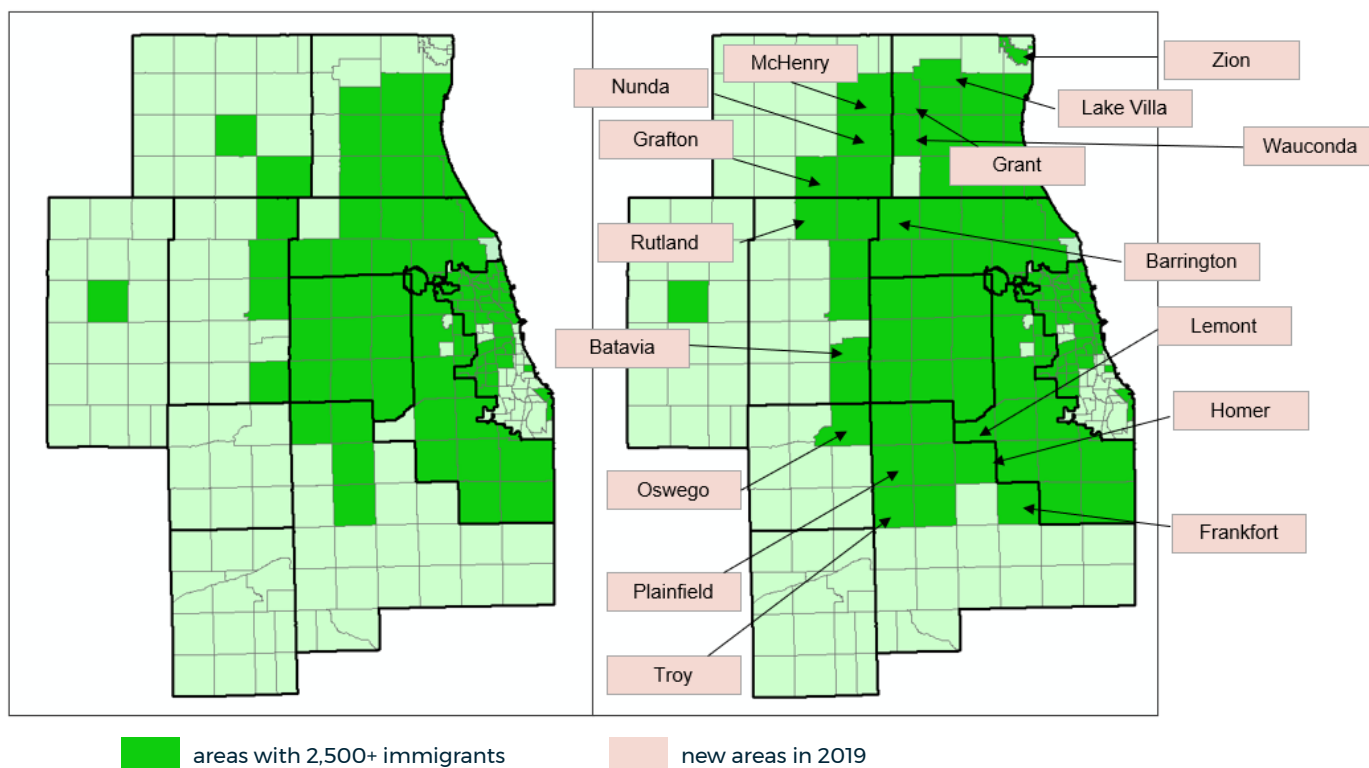
	2000	2020	Point Change
ILLINOIS	100%	100%	
Chicago City	44%	34%	-10
Suburban Cook	26%	28%	2
Collar Counties	23%	27%	4
Downstate	8%	11%	3

Source: U.S. Census Bureau

This pattern may be seen in the maps below of immigrant population (including all foreign-born persons) in metro Chicago townships and Chicago community areas. Between 2000 and 2019, additional townships with at least 2,500 immigrants appeared in Kane, Kendall, Lake, McHenry and Will counties. The labels identify areas that reached the 2,500 threshold only in 2019.

TOWNSHIPS AND COMMUNITY AREAS WITH 2,500+ IMMIGRANTS 2000 VS. 2019

(2000; 2019)



IMMIGRANT POPULATIONS ARE GROWING DOWNSTATE

County-level information on foreign born and limited English proficiency persons give a sense of statewide shifts taking place, as seen in the tables below. Over the last decade, for example, Effingham County had a growth of 442 or 138 percent in its immigrant population. In Bond County, the population that does not speak English well rose by 154 persons or 570 percent during the same period. Along with immigrant population growth is an increase in the limited-English population. In the last decade, for example, the number of persons who do not speak English more than doubled in many counties.

TOP 25 ILLINOIS COUNTIES IN LIMITED ENGLISH POPULATION CHANGE: 2010-2019

COUNTY	# CHANGE	% CHANGE
Bond County	154	570%
Edwards County	71	444%
Jasper County	74	308%
Clark County	61	277%
Stark County	17	243%
Hardin County	7	233%
Wabash County	114	204%
Morgan County	190	176%
White County	64	164%
Wayne County	105	138%
Saline County	218	134%
Knox County	653	122%
Putnam County	42	108%
Moultrie County	281	101%
Cumberland County	26	76%
Johnson County	68	76%
Scott County	9	69%
Lawrence County	184	69%
Effingham County	182	66%
Massac County	25	66%
Schuyler County	83	65%
Menard County	12	57%
Jefferson County	158	50%
Bureau County	319	48%
Jackson County	514	48%

TOP 25 ILLINOIS COUNTIES IN FOREIGN BORN POPULATION CHANGE: 2010-2019

COUNTY	# CHANGE	% CHANGE
Hamilton County	50	417%
Cumberland County	74	211%
Menard County	61	165%
Effingham County	442	138%
Wabash County	128	136%
Monroe County	380	134%
Washington County	55	80%
Bond County	157	77%
Jasper County	38	73%
Morgan County	267	69%
Jefferson County	288	62%
Franklin County	120	59%
Know County	610	59%
Hancock County	81	56%
Lawrence County	118	48%
Massac County	45	45%
White County	70	40%
Mercer County	44	37%
Warren County	264	35%
Logan County	120	34%
Kendall County	3,050	34%
Coles County	282	34%
Clark County	47	33%
McLean County	2,702	31%
Adams County	208	29%

THE FASTEST-GROWING IMMIGRANT GROUPS ARE FROM INDIA, CHINA AND PAKISTAN

The fastest-growing immigrant groups in Illinois are from India, China and Pakistan. Nigerians are the fifth fastest-growing group statewide. Guatemala, El Salvador and Honduras – all countries associated with urgent asylum claims – are among the growing populations.



It is worth noting that two countries that for many decades were the largest groups in Illinois are both in numeric decline. The number of persons born in Mexico fell by more than 50,000 persons between 2006-2010 and 2015-2019; the number born in Poland fell by almost 19,000 persons.

TOP 25 IMMIGRANT GROUPS WITH LARGEST NUMERIC GROWTH IN ILLINOIS: 2010-2019

	2006-2010	2015-2019	# CHANGE	% CHANGE
India	127,659	156,084	28,425	22%
China	53,525	77,308	23,783	44%
Pakistan	19,886	30,296	10,410	52%
Philippines	80,424	89,589	9,165	11%
Nigeria	10,032	17,420	7,388	74%
Ukraine	19,731	25,087	5,356	27%
Vietnam	18,364	23,035	4,671	25%
Guatemala	22,047	25,696	3,649	17%
Jordan	5,917	9,522	3,605	61%
El Salvador	9,434	12,287	2,853	30%
Honduras	7,254	10,023	2,769	38%
Saudi Arabia	1,466	4,210	2,744	187%
Moldavia	1,242	3,970	2,728	220%
Burma (Myanmar)	1,771	4,348	2,577	146%
Albania	2,702	5,250	2,548	94%
Nepal	785	3,327	2,542	324%
Egypt/United Arab Rep.	3,720	6,224	2,504	67%
United Kingdom, ns	6,609	9,012	2,403	36%
Brazil	4,697	6,556	1,859	40%
Venezuela	2,749	4,441	1,692	62%
Iraq	10,475	12,155	1,680	16%
Ethiopia	2,410	3,995	1,585	66%
Syria	4,721	6,230	1,509	32%
Bulgaria	11,576	12,977	1,401	12%
Byelorussia	4,375	5,700	1,325	30%
Iran	5,993	7,237	1,244	21%

The fastest growing languages spoken by immigrants in their home in Illinois are Arabic, Chinese and Urdu. The number of speakers of each language rose by well over 200 percent in about ten years. Notably, the number of Spanish speakers fell by about six percent over the period, and the number of Polish speakers fell by almost 15 percent.

TOP 25 LANGUAGES WITH LARGEST NUMERIC GROWTH IN ILLINOIS: 2010-2019

	2006-2010	2015-2019	# CHANGE	% CHANGE
Arabic	28,464	43,344	14,880	252%
Chinese	47,484	57,312	9,828	221%
Urdu	30,182	39,318	9,136	230%
Telugu	11,968	18,856	6,888	258%
Filipino, Tagalog	66,986	73,492	6,506	210%
Hindi	31,437	37,706	6,269	220%
Ukrainian, Ruthenian, Little Russian	7,983	13,912	5,929	274%
Gujarathi	29,433	35,231	5,798	220%
Mandarin	6,084	11,474	5,390	289%
Vietnamese	15,292	20,240	4,948	232%
French	12,687	17,396	4,709	237%
Nepali	1,034	5,230	4,196	606%
Tamil	9,191	13,249	4,058	244%
Albanian	4,339	7,617	3,278	276%
Cantonese	9,930	13,168	3,238	233%
Swahili	854	2,332	2,369	477%
Sebuano	543	2,708	2,165	599%
Portuguese	3,770	5,836	2,066	255%
Pakistan nec	580	2,274	1,694	492%
Turkish	3,101	4,673	1,572	251%
Russian	35,363	36,870	1,507	204%
Bantu (many subheads)	1,340	2,815	1,475	310%
Burmese, Lisu, Lolo	903	2,375	1,472	363%
Panjabi	3,485	4,940	1,455	242%
Malayalam	10,113	11,336	1,223	212%

IMPLICATIONS FOR EXPANDING LEGAL SERVICES



Some implications for legal services that stem from the findings in this section include the following.

- A large undocumented population means a large-scale legalization program will require substantial resources.
 - To place this into context, the Illinois Access to Justice program provided approximately 6,500 legal screenings in a recent 18-month period. If a legalization program were to cover the majority of Illinois' 400,000+ "undocumented residents, this amount of service would need to expand many times over.
- New immigrant groups imply a need for new service models.
 - The shift toward a more diverse population will require legal service providers to engage with a changing population that includes more persons from countries other than Mexico. Their different cultural and personal experiences may demand new skill sets, linguistic capabilities and knowledge of legal providers. There will be increasing need for attorneys and staff who can speak Arabic, Chinese, Urdu and other languages.
- New residential patterns imply a need for new or expanded providers.
 - Growth outside of Chicago means more undocumented immigrants are living in areas that have historically been deficient in social and human services of any kind, including legal services. New networks and infrastructure and relationships need to be built. New organizations need to begin to offer services, and/or existing groups need to begin providing services to the undocumented or increase the capacity of their undocumented-focused services.

WHAT IS THE LEGAL SERVICES LANDSCAPE?

WHAT ARE NON-PROFIT LEGAL SERVICES AND WHAT ARE PUBLIC EDUCATION SERVICES FOR IMMIGRANTS?

Legal services include counseling immigrants on options, assisting with filing applications, and providing representation in immigration court. Immigrants may be eligible for authorization to work, permission to remain in the U.S. in a temporary status, permanent resident status, U.S. citizenship, and many dozens of other statuses or situations. Most legal services need to be provided by an attorney. Some services can be given by persons and agencies that have been certified as “qualified representatives” by the U.S. Department of Justice.

Public education services educate immigrants and the larger communities in which they live about the general implications of immigration law and policy. Topics of education can include information on eligibility for programs or statuses such as Deferred Action for Childhood Arrivals; “Know Your Rights” information that explains individual and community rights vis-à-vis immigration enforcement, such as how to respond to a request for documentation; the status of proposed changes to federal immigration law; and numerous other areas.

THE NON-PROFIT SECTOR

The non-profit sector provides the bulk of services to immigrants of limited means. Some non-profit and faith-based organizations such as the National Immigrant Justice Center and the Catholic Church have offered legal services for many years. Several law schools in Illinois offer some limited legal assistance via clinics staffed by law students.

Most providers of legal services to low-income undocumented immigrants are non-profit, 501(c)3 organizations. These groups raise funds from private individuals and institutional donors. Some of these funders make grants to non-profits, while others participate in the Immigration Funders Collaborative, which pools and redistributes funds given by foundations.⁸

STATE-FUNDED SERVICES

With neither the private market nor the philanthropic sector able to provide enough support for legal services to immigrants, the State of Illinois funds legal services to undocumented immigrants via the Illinois Access to Justice program and the New Americans Initiative. The Illinois Access to Justice program provides funds to non-profit organizations to give immigration legal advice and provide representation to undocumented immigrants. The New Americans Initiative provides services to immigrants seeking to naturalize and become U.S. citizens, and it serves immigrants applying for Deferred Action for Childhood Arrivals.

⁸ Nuestro Futuro, a funders’ affinity group at The Chicago Community Trust, provides some funding for immigrant legal services.

CITY OF CHICAGO

The Chicago Legal Protection Fund is a service of the city of Chicago. The city provides funding to the National Immigrant Justice Center for legal services to Chicago residents. The fund also gives financial support to The Resurrection Project to support a Community Navigator Program. The navigator program in turn makes grants to community organizations.



**TEN COMMUNITY GROUPS
HAVE RECEIVED FUNDING IN
RECENT YEARS, AND THEY
HAVE TRAINED ABOUT 876
NAVIGATORS WHO HAVE
REACHED MORE THAN
175,000 PERSONS.**

LAW OFFICE OF THE COOK COUNTY PUBLIC DEFENDER (CCPD): A NEW SOURCE OF SERVICES EMERGES

Current immigration law creates serious consequences, including removal from the U.S., for persons who plead guilty to certain criminal charges. In a 2010 decision, the U.S. Supreme Court held that defendants in criminal court have a right to receive legal counsel on the immigration consequences of a guilty plea.⁹

In fall 2020 CCPD created an Immigration Unit and in summer 2021 Governor Pritzker signed legislation allowing CCPD to represent immigrants in immigration court. The immigration unit is currently putting into place protocols and training for public defenders. Ultimately, this may constitute a significant expansion of representation for immigrants.

TALLYING THE NON-PROFIT PROVIDERS

The landscape of providers of legal and related services to undocumented immigrants in Illinois is as follows:¹⁰

⁹ Supreme Court of the United States in *Padilla v Kentucky*. CERTIORARI TO THE SUPREME COURT OF KENTUCKY No. 08-651. Argued October 13, 2009—Decided March 31, 2010

¹⁰ These numbers should be treated as approximations because precise numbers can vary over time.

¹¹ E.g., The DePaul University College of Law Asylum & Immigration Law Clinic provides technical assistance and capacity building to non-profits, including more than 500 case consultations per year.

¹² These groups include 1) state-funded organizations in the Access to Justice and New Americans Initiative programs, 2) City of Chicago-funded organizations in the Legal Protection Fund, 3) law school clinics and 4) fifteen groups that are not in any of these programs but which are reported by the U.S. Justice Department to have accredited representatives.

AN ADDITIONAL SET OF PHILANTHROPIC FOUNDATIONS AND PRIVATE DONORS MAKE FINANCIAL GIFTS TO NON-PROFIT PROVIDERS OF LEGAL SERVICES TO IMMIGRANTS.

**Immigrant Legal-Service Providers Funded by State of Illinois and Immigrant Funders Collaborative
(Includes Double-Counting of Groups Funded by More than One Source)**

Access to Justice, Legal	27
New Americans Initiative, Legal	34
Immigration Funders Collaborative	15

COUNT OF INDIVIDUAL ACCREDITED REPRESENTATIVES

The U.S. Justice Department (DOJ) recognizes individuals as “accredited representatives” able to provide certain types of legal assistance to immigrants. “Fully accredited” individuals can represent immigrants before the Board of Immigration Appeals, the Immigration Courts and the U.S. Department of Homeland Security (the latter includes U.S. Citizenship and Immigration Services). “Partially accredited” persons can only assist individuals with affirmative cases such as asylum or adjustment of status as opposed to fighting a person’s removal in immigration court.¹³ The organization that employs accredited representatives must also have recognition from DOJ.

There are differences of opinion regarding the best use of accredited reps and the extent to which they should be used. Some argue for many more accredited reps while others would give more priority to hiring more attorneys. Whether accredited reps should represent persons in deportation or work primarily on affirmative applications for benefits from USCIS is another area of differing viewpoints.

Some 145 accredited representatives are reported by the U.S. Justice Department to be in Illinois.

Only 16 persons in Illinois have full accreditation.

Seven organizations in Illinois have at least one fully accredited representative on staff and 44 organizations have at least one partially accredited representative.

Count of Accredited Representatives

Total	145
Fully Accredited	16
Partially Accredited	129

¹³ A list of accredited representatives and the groups where they work are found at <https://www.justice.gov/eoir/recognized-organizations-and-accredited-representatives-roster-state-and-city>

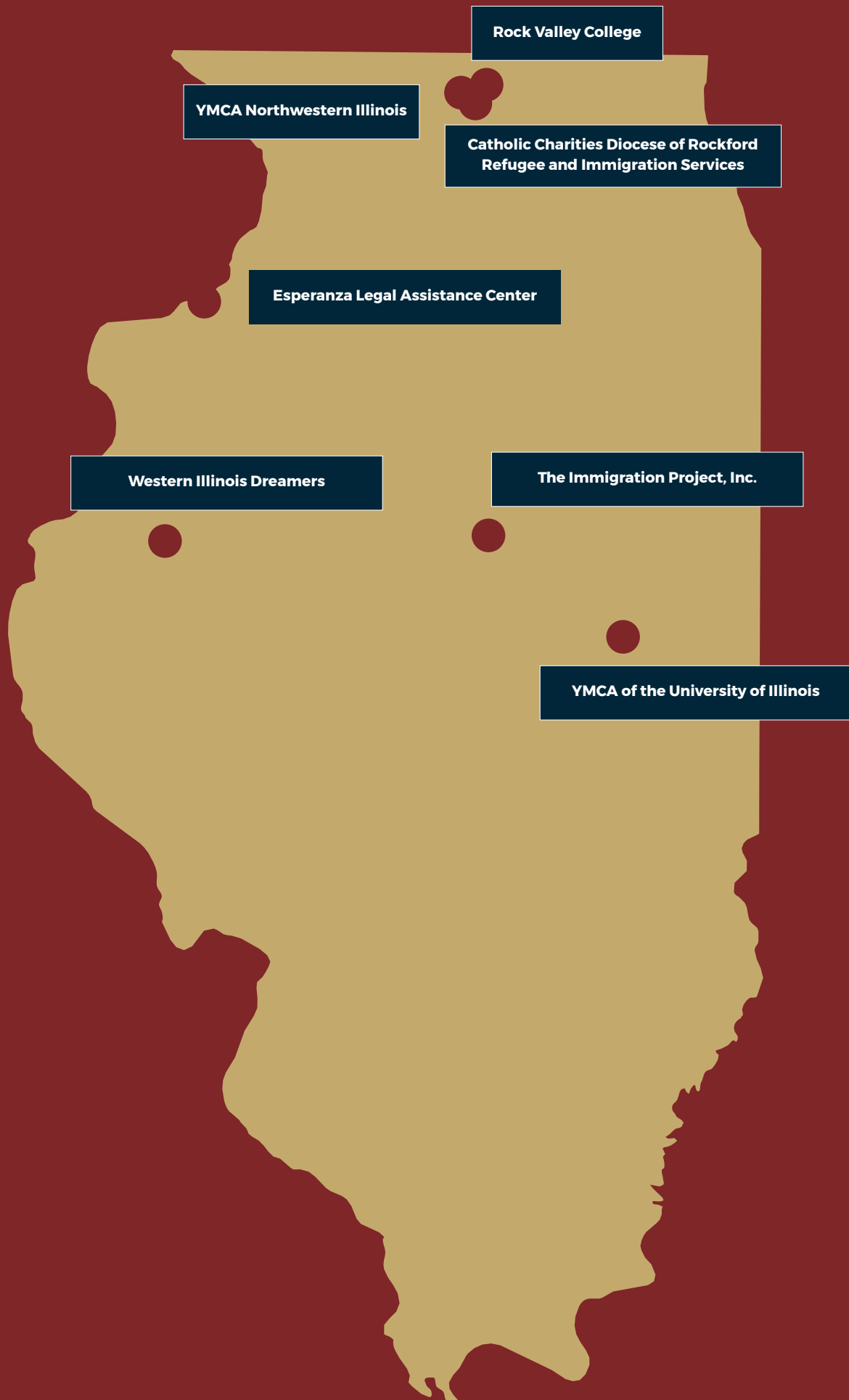
COMMUNITY NAVIGATORS AND PUBLIC EDUCATORS

In the context of immigration, community navigators are individuals trained in basic aspects of law and policy. Navigators educate members of the public about their rights and their eligibility for assistance when needed, and navigators dispel and counteract misinformation. Community navigators have been used for many years in the public health field, where their value is recognized by the American Public Health Association and the U.S. Centers for Disease Control.¹⁴ In the Latinx community, the use of promotores de salud is well known.¹⁵ In Illinois, the Access to Justice program hires community navigators, and the New Americans Initiative uses trained volunteers in a comparable role in citizenship outreach. In fiscal year 2020, about 1,050 immigration navigators were employed by organizations within the Illinois Access to Justice program.



¹⁴ U.S. Centers for Disease Control Addressing Chronic Disease through Community Health Workers: A Policy and Systems-Level Approach. April 2015.

¹⁵ Promotores have been an important part of public health education in Mexico for decades. (Balcazar et al. Community Health Workers-Promotores de Salud in Mexico, Journal of Ambulatory Care Management Vol. 39, No. 1, pp. 12-22.)



Rock Valley College

YMCA Northwestern Illinois

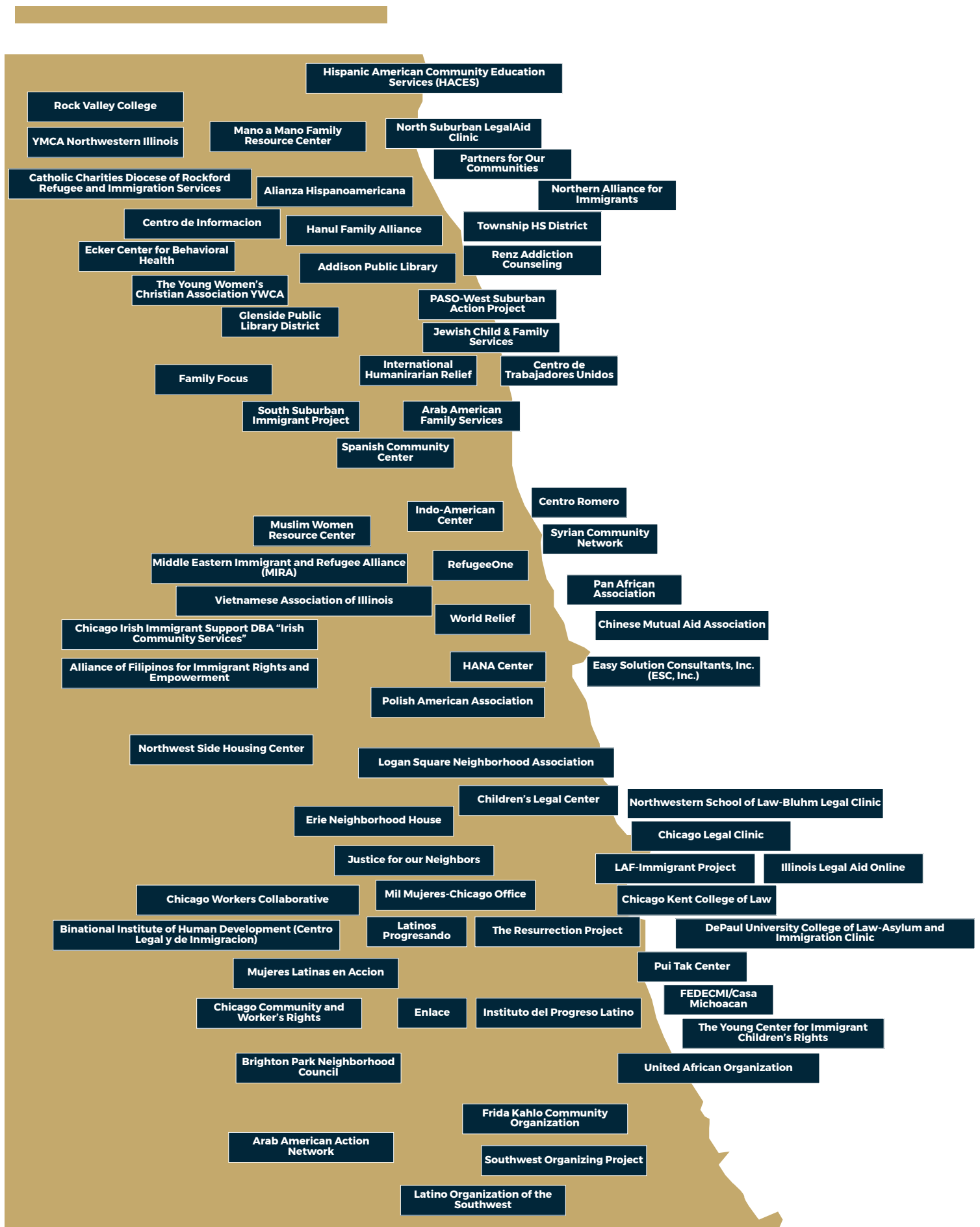
Catholic Charities Diocese of Rockford
Refugee and Immigration Services

Esperanza Legal Assistance Center

Western Illinois Dreamers

The Immigration Project, Inc.

YMCA of the University of Illinois



SOME IMPLICATIONS OF THE PROVIDER LANDSCAPE

The number of non-profit organizations is large, as many as 68, and are found across the state. It is a substantial ecosystem with many personnel, locations and capabilities. Directing grants to these groups or supporting them with training requires a significant expense in terms of research, relationship building and communication.

Secondly, the funding sources for these groups are diverse, with two sources of state funding, a philanthropic network, and individual foundations and persons. The organizations have to navigate different funding requirements, reporting rules and possibly time frames when seeking support.

Finally, fully accredited representatives have potentially wide latitude to assist immigrants both before the Department of Homeland Security but also in the immigration courts. The fact that only 16 persons have full accreditation speaks to the rigorous demands of the accreditation process, but it also makes it likely that an immigrant will need the more costly services of an attorney.

More research is needed into how to increase the numbers of accredited representatives. Many individuals who cannot afford to or do not desire to enter law school may be capable of providing services to immigrants as accredited representatives. For organizations, finding the appropriate balance of attorneys to accredited representatives is an ongoing challenge.



WHAT ARE LESSONS FROM DACA?

Deferred Action for Childhood Arrivals (DACA) is a federal policy established by the Obama administration in 2012. Deferred action is available for certain immigrants who came to the United States as children and meet criteria involving their age and education. Immigrants with DACA receive work authorization, but they do not have a permanent legal status. Despite the lack of permanent status, DACA represents the largest legalization-type program available to Illinois residents since the 1980s. The experience of DACA implementation has lessons for possibly implementing any new legalization programs in the future.

The State of Illinois provides funding to assist applications for DACA. The Illinois Coalition for Immigrant and Refugee Rights manages the New Americans Initiative that gives funding to non-profit organizations that assist immigrants applying for DACA. (The New Americans Initiative also provides support for naturalization applications.)

ABOUT HALF OF POTENTIAL DACA RECIPIENTS SUCCESSFULLY COMPLETED THE PROCESS

Some 33,700 young persons have received a temporary status under DACA in Illinois.¹⁶ The program clearly has had a large and significant effect, reaching many persons and providing work authorization and other benefits to allow young immigrants to have control over their lives.

DACA, however, has not reached many persons who may be eligible. The 33,700 persons with DACA in Illinois are less than half of the 79,000 estimated to be eligible.¹⁷ Similarly, at the national level about 600,000 immigrants have DACA status out of 1.3 million estimated to be eligible.¹⁸ So the fact of a legalization-type status being available is not the same as having all eligible persons take part in it. The reasons for young immigrants not applying for DACA are many, but among them are lack of information, fear of rejection and possible deportation and the costs of the program. DACA applicants need to submit applications for renewal every two years. The cost of a DACA application (initial or renewal) is currently set at \$495. Indeed, one of the legal providers interviewed for this report described the pain of counseling a family with two DACA-eligible children who lacked the money to pay for the application of more than one child.

THE DREAM ACT COULD DRAMATICALLY EXPAND NEED FOR LEGAL AID

The DACA experience in Illinois is important because some immigrant legalization proposals amount to expansions of DACA, targeting undocumented persons who arrived as minors but expanding the eligibility criteria for the status. Some legislative leaders support expanding DACA but providing, like DACA, only a temporary status. Others are in favor of The Dream Act of 2021, introduced by U.S. Senators Dick Durbin (D-IL) and Lindsey Graham (R-SC), which would allow a population similar to DACA recipients to earn permanent residence and eventually U.S. citizenship.

¹⁶ U.S. Citizenship and Information Services at USCIS.gov accessed May 11, 2021. About 87 percent of current DACA recipients were born in Mexico.

¹⁷ Migration Policy Institute at <https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles> accessed May 11, 2021

¹⁸ Ibid.

DACA but providing, like DACA, only a temporary status. Others are in favor of The Dream Act of 2021, introduced by U.S. Senators Dick Durbin (D-IL) and Lindsey Graham (R-SC), which would allow a population similar to DACA recipients to earn permanent residence and eventually U.S. citizenship.¹⁹

Enactment of the Dream Act would raise the question of how many young persons might be left behind given the experience with DACA, which did not reach half of the projected eligible population. Factors such as inability to pay the application cost, lack of legal counsel, and fear of revealing one's status to the government will need to be overcome.

Regarding the expansion of the existing DACA program, the Migration Policy Institute estimates that the current DACA-eligible population could increase by 67 percent under the following conditions: moving the allowed date of entry to December 2020, removing the age cap placed on applicants, and raising the allowable age at entry to 17 years or younger.²⁰ These expanded parameters would raise the eligible population in Illinois from 79,000 to nearly 132,000 persons. It would be a serious challenge for existing systems of legal aid to assist tens of thousands of additional immigrants eligible for temporary status.

DACA RECIPIENTS RESIDE ACROSS ILLINOIS

The geographic locations and the social and economic characteristics of persons eligible for expanded DACA will track those of the existing DACA recipients, the larger undocumented population and noncitizens in general. Thus we know that newly eligible persons will reside across the state of Illinois, often outside of Chicago and in the suburbs of metropolitan Chicago and downstate.

Using the existing locations of young noncitizens, we can project how the population eligible for an expanded DACA would grow compared to the currently eligible population, and where. The projected growth areas are seen in the maps below. The fact that many persons live in relatively rural areas highlights the challenges present in service groups living in more rural areas with diminished access to broadband, farther distances to travel, and other barriers to legal aid.

¹⁹ <https://www.durbin.senate.gov/newsroom/press-releases/durbin-and-graham-introduce-the-dream-act>

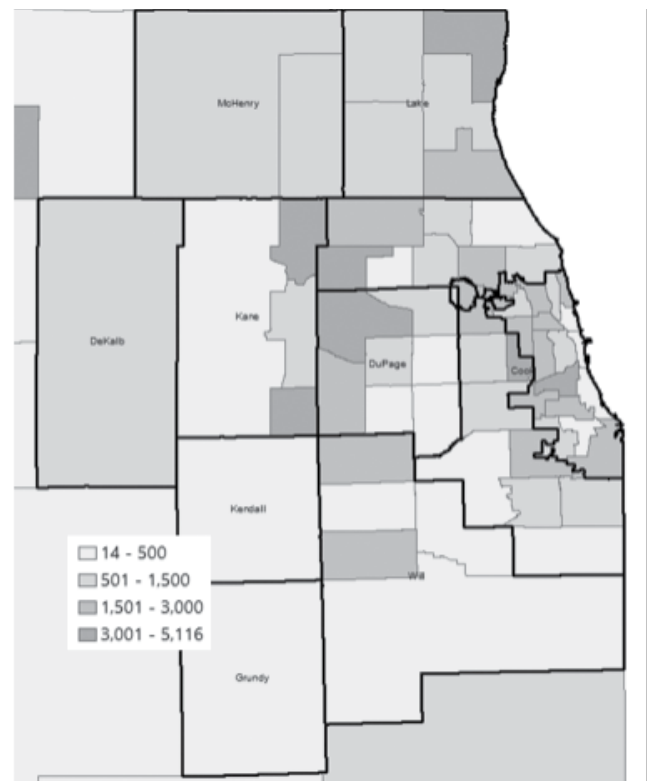
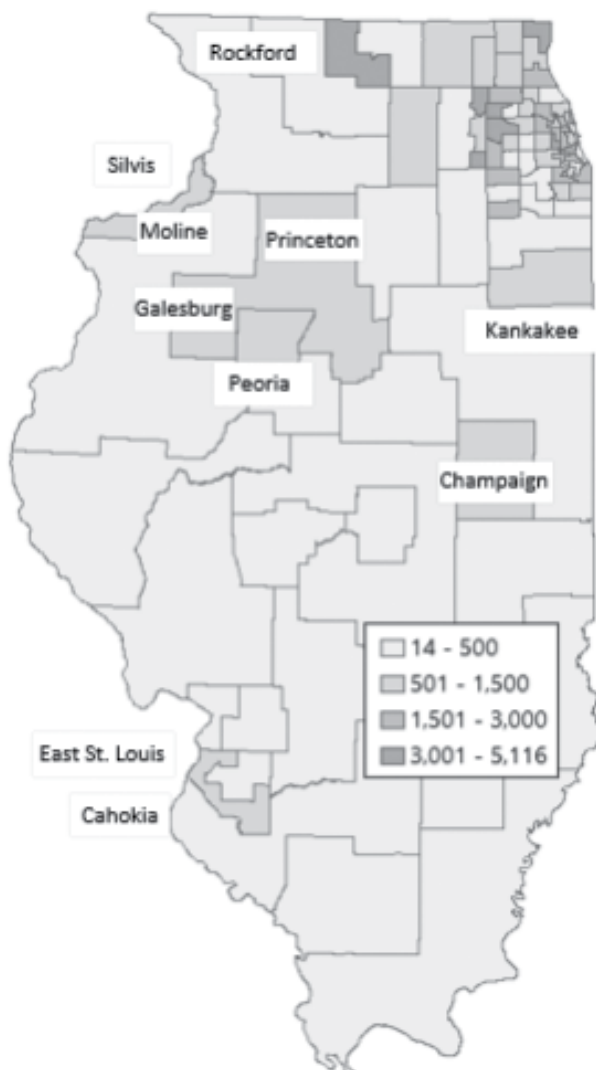
²⁰ Back on the Table: U.S. Legalization and the Unauthorized Immigrant Groups that Could Factor in the Debate by Jessica Bolter, Muzaffar Chishti and Doris Meissner. Washington, DC Migration Policy Institute February 2021

IMPLICATIONS OF THE DREAM ACT AND EXPANDED ELIGIBILITY

Our ability to adequately serve persons eligible for the Dream Act or for an expanded DACA-like status must be informed by the fact that many young persons did not successfully apply for the existing DACA program. What would it take to raise participation to close to one hundred percent?

Adequately bringing a new status to an expanded population may require providing even more outreach, form assistance, legal advice and cash assistance for applications than has been made available to date. The amount of aid needs to grow on a per capita basis, and not just increase in absolute terms. In other words, the assistance available for the average applicant may need to be greater in light of a new program. Otherwise, the program would risk experiencing a less than fifty percent take-up rate as with the existing DACA.

POTENTIAL GROWTH IN DACA-ELIGIBLE IMMIGRANTS



WHAT DO THE SERVICE PROVIDERS SAY?

We arranged 12 focus groups by Zoom for persons associated with the Illinois Access to Justice program. Separate groups were held for: executive directors and program directors; attorneys; DOJ-accredited representatives; and community navigators. Navigator groups were held mainly in Spanish.

Participants were promised that their remarks were confidential: that no person would be quoted and that no person's comments would be described in a manner that would make it likely that they could be identified. In our summaries that follow, we capture the main types of comments. The topics are presented as we heard them, and we paraphrase and share them without having attempted to verify or substantively alter the meaning of what people said. The comments of navigators are presented separately because of their unique viewpoint.

REMARKS OF EXECUTIVE/PROGRAM DIRECTORS, ATTORNEYS AND ACCREDITED REPRESENTATIVES.

THE NEED FOR IMMIGRATION SERVICES IS GREAT.

All organizations have too many clients for the number of staff they have. Respondents have extremely high caseloads and high demand for their services. One organization used to see twenty clients a week and now they see 200. At another organization, two attorneys handle 500 cases. Many potential clients are turned away or cannot be served. Phone lines at one site are open two days a week and within an hour or two all appointment slots are filled.

Organizations are taxed by the current level of demand. If reforms pass, groups will be drowning.

There is high demand for DACA counseling and for Temporary Protected Status, the latter especially for Venezuelans. Some groups have seen huge increases in domestic violence cases, possibly due to the stresses of the pandemic. In general, more cases are arising from suburban and rural areas of Illinois where there are very few resources.

IMMIGRANTS ARE UNFAIRLY DETAINED.

Immigrants are detained who should not be. Lawyers are aware of immigrants being transferred directly to ICE from local police departments, even though Illinois generally prohibits the practice. ICE still has methods of picking people up from local police. Immigrants can land in ICE detention after a traffic offense. The numbers of persons in detention are lower than before the pandemic, but many persons in detention should not be held.

According to Ruben Loyo of the National Immigrant Justice Center, "detention numbers are increasing dramatically. Nationally, the detained population is back up to 27,000 after a huge dip during the pandemic. Locally, we are seeing large transfers of asylum-seeking individuals from the border, and jumps in detention at the three major facilities."

THE OVERALL COMPLEXITY OF NEEDS IS INCREASING.

In the asylum field the question of who is eligible or not is a “minefield.” In the context of detained immigrants, the intersection of criminal and immigration law is exceedingly complicated. Closure of immigration court during the pandemic has created confusion. **Organizations cannot take cases that are too complicated for lack of resources.** One case has taken 10 years and lawyers have prepared for hearings three times. A case in 2020 was rescheduled by immigration court for 2023.

CASES REQUIRE LARGE AMOUNTS OF STAFF TIME.

Relatively simple cases such as naturalization can, in the best circumstances, take five to six hours of work. Most cases take longer and include not only filing documents but prepping clients for hearings. Maintaining contact with clients is challenging given their work situations. Asylum cases can last years.

MANY IMMIGRANT CLIENTS ARE UNDER EXTRAORDINARY STRESS.

Immigrants have been issued bonds that they are unable to pay. Some clients have to wear monitoring devices that attorneys have trouble getting ICE to remove. ICE often changes its methods of restriction leaving attorneys to scramble for ways to help clients instead of being able to proactively counsel clients. For example, **ICE has placed tracking software on some clients’ cell phones; there is little information available on how the software works and attorneys are not sure how to advise clients about it.**

PROVIDERS HELP WITH BASIC NEEDS.

Organizations help clients with emergency funds, with maintaining their housing and with other needs. Attorneys and other staff spend time on client needs that are not related to immigration law but are critical to clients’ well-being. It is challenging for legal providers to provide and manage both legal services and financial assistance during the pandemic. Many attorneys have to act as social workers, but don’t have a degree in that field and have their legal caseloads.

Some clients are homebound or need food, baby items, clothing, furniture, school supplies, and other basic material needs, and organizations have to help them. Assisting clients is about more than just closing their immigration case.

MANY CLIENTS HAVE EXPERIENCED TRAUMA.

Clients relive traumatic experiences as their cases are continued and they have to retell their stories multiple times. There are almost no mental health resources available and those that are involve long wait times. Additionally, finding culturally competent mental health services remains a barrier. Social workers dedicated to helping immigrants leave detention or live with stress are available for only a few cases. A trauma-informed environment would be ideal for some clients, in which a social worker speaks to the client to see when they are ready to recall their trauma to complete an application.

MONEY IS A HUGE PROBLEM FOR CLIENTS.

Some immigration fees have waivers available, but most do not. A lot of immigrants are working cash-only jobs which makes it difficult for them to come into and meet with counselors. Many clients work all the time, without time outside of work to seek legal services, living paycheck to paycheck to make ends meet. Sometimes immigrants have family-based immigration options available to them but they cannot pay the government fees even if nonprofit legal fees are minimal or nonexistent.

CLIENTS HAVE LIMITED EXPERIENCE WITH TECHNOLOGY.

Community members lack access to technology. Some prefer to wait until after the pandemic so they can have face-to-face interviews and complete forms on paper. There is resistance to digital processes and lack of broadband and computer access and experience among immigrants.

THERE IS A GREAT DEAL OF MISINFORMATION.

Groups struggle with misinformation when they are asked about the public charge rule. They encounter fear of obtaining COVID relief because of public charge misinformation. Many families are isolated and rely on information passed on by word of mouth in their apartment complex. Many clients ask about whether immigration reform is going to happen and organizations do not know how to respond.

STAFF HAVE DEMANDING WORK SITUATIONS.

Employees are not getting paid sufficiently. Private sector law firms pay substantially higher, and it is hard for groups to keep staff long term. The private sector syphons off workers with Amazon warehouses paying more than groups can pay their paralegals. There is concern about employee burnout. If it were possible to pay higher salaries staff would stay longer and provide more expertise. One group practices self-care by talking to each other on a regular basis. There are situations where staff have broken down into tears because of the severity of the case. Staff feel “slammed” by demand for help. One group has reached the point where it cannot take on any more cases.

Groups have had to re-orient their service models due to COVID. One group used to do a lot of walk-in services and has found switching to appointments very stressful. Figuring out how to work with clients has been intense and difficult in this atmosphere. Staff members have become fatigued because of the remoteness, and their organizations have struggled to develop new ways of working. COVID has been psychologically wearing. Directors have hired new staff members who they have not seen in person for months.

Clients need re-orientation. Many do not have email accounts or access to the internet. New work standards have felt like “reinventing the wheel.” Clients do not know how to send money to pay fees electronically other than via Western Union.

THERE IS INSUFFICIENT SUPPORTIVE STAFF.

There are not enough paralegals, accredited representatives, or other non-attorney staff. Attorneys have to do basic work such as writing briefs or writing work permit renewals. More paralegals are needed so that attorneys do not have to handle putting exhibit tags on case files, for example, or printing out documents.

Organizations have hired personnel in the areas of database management, legal administration, and grant writing. The support personnel help groups take on more cases and close them. There is a need for staff who can help clients get access to online services.

ACCREDITED REPS PROVIDE CRITICAL SERVICES, BUT IT IS CHALLENGING TO INCREASE THEIR NUMBERS.

The process of becoming an accredited rep is difficult, requiring substantial training and documentation. Some organizations have fully accredited reps who can represent immigrants in immigration court. Representatives with partial accreditation are more limited to affirmative applications with USCIS such as adjustment of status.

The pay level for accredited reps can be only slightly higher than pay for a paralegal, despite the training requirements. It can take a year for an individual to acquire partial accreditation. Some persons may view accredited representatives as inadequate compared to attorney representation. More public education is needed to explain the work that representatives can do.

GROUPS FACE CHALLENGES WITH TECHNOLOGY.

If organizations had more resources, they would acquire more technology and get more training with technology. They have had to share more information online, which raises security concerns. Some use Facebook Live for trainings and yet Facebook may employ facial recognition technology that law enforcement has access to. Groups want to know what choices they have to store data and to make themselves available to the community online. Online case management systems may have vulnerabilities.

PROGRAM REPORTING REQUIREMENTS ARE CHALLENGING.

Program directors and attorneys say that funder reporting requirements are strict and require large amounts of time. Reporting to funders is said to be intense, requiring information that is not easily pullable from databases. Staff need to report on case outcomes but also on time spent on cases. Grants from multiple donors have different requirements for reporting.

Reporting requirements do not sufficiently recognize the differences in complexity and time spent on cases. Some cases are completed quickly and others require large amounts of staff time. Different types of cases have different levels of complexity but reporting requirements do not allow for it.

CASELOAD “SNOWBALLING” INCREASES DEMANDS.

Government and philanthropic funding is usually available for specific fiscal years, but commentators said that there is a “snowball effect” in which cases roll over into the next year and cause a cumulative growth in cases that exceeds the number opened in a given year. The issue of how to fund carryover cases was raised.

REMARKS OF COMMUNITY NAVIGATORS

NAVIGATORS ARE A BRIDGE.

Navigators connect the public and immigration legal representatives. They conduct outreach, do intakes, make calls, and translate/interpret. Some work in schools and with parent groups. They reach out to clients in their database asking if they or family, neighbors or friends needs services.

Navigators help immigrants with questions about programs and statuses including DACA, TPS and U.S. citizenship. Particularly during the COVID pandemic, they explain the availability of financial assistance such as the Chicago Resiliency Fund. They know where and how a lawyer or accredited representative can be seen. They help immigrants understand the eligibility requirements for an immigration status or program and connect them with legal providers. They educate the public about their rights if asked about their immigration status.

IMMIGRATION NEEDS ARE INTERTWINED WITH OTHER NEEDS.

Health: navigators help people look for health clinics and health insurance. They help people get information about vaccinations. One organization has more than 2,000 clients and they call them individually one by one to do wellness checks and see what resources they can provide.

Language: navigators are critical to helping people that do not speak English to navigate systems. There is a lack of English ability and many people need help with translating.

Food security: navigators assist with food donation and distribution. They bring food to people at risk of COVID.

Workplace rights: Navigators help orient the public about their rights and responsibilities in the workplace. They explain to workers the rights they have regardless of their legal status.

MULTIPLE COMMUNICATION METHODS ARE NEEDED.

Navigators arrange workshops, make phone calls, disseminate information via web sites, and go from neighbor to neighbor. When immigrants respond the navigators can answer their questions. Immigrants need to be reached where they are at: in laundromats, in restaurants and on the job landscaping.

WhatsApp and Facebook are used to amplify information to provide or share updates on DACA, vaccines and other topics. Navigators use Facebook Live with their communities.

Despite the opportunities of Facebook, many members of the public cannot be reached by social media. There are community members with no knowledge of technology or cell phones and there are some persons, especially older persons, who cannot sign their name or write.

One group tries to serve persons face to face instead of by Zoom or by phone, because it is more efficient given technology issues and the fact of some persons not knowing how to navigate the internet.

FEAR, MISTRUST AND LACK OF INFORMATION ARE COMMON.

It is hard for the immigrant community to open up and, when they do, some of the services they need are not available. As a result, they leave and don't come back or they take forever to come back to a respected organization. It can be hard to build trust.

Navigators see their role as removing fears and helping to guide immigrants. There is a need for more information about immigration in the community.

Fears of immigrants go beyond immigration and much of it has involved the pandemic. Fear of public charge permeates attitudes, including use of COVID vaccination: Will this affect me in the future? There is misinformation about COVID vaccinations involving implants of computer chips.

Young people ask navigators: "If I apply for DACA and they don't approve me, can they deport me?" People are excited with the possibility of applying for immigration statuses, but they still are afraid and they say to navigators "Can they deport me?"

Many community members are afraid of immigration applications because many have been defrauded by lawyers or because notaries were taking advantage of them. There is a loss of confidence between the community and lawyers. Sometimes people don't want a free lawyer because they think that such a lawyer won't really help them.

COMMUNICATION BETWEEN NAVIGATORS COULD BE ENHANCED.

Some navigators thought it would be good to get more training. It is challenging to retain the information they receive. Some receive training via their handheld phone because they do not have a personal computer or tablet. Some are not tech-savvy and do not know how to use computers, how to download applications, or how to electronically sign a document.

There is a need for more information on how to refer persons. Some navigators do not know other organizations than their own. They may not be able to help someone because they do not know who to refer to.

Some navigators do not know about organizations outside of their own county. A map of all the immigrant-serving organizations in Illinois would be helpful. Navigators live far apart and do not know how to contact each other.

It would be desirable to have one-on-one meetings more and be able to discuss the paperwork they share. They would like a virtual calendar, computer tablets and internet hotspot connections. They work with their own data plans.

WORKLOAD AND THOUGHTS ON EXPANSION

Each organization providing navigator assistance has its own rules and policies. At some groups, navigators want more hours. They may only have a specific number of hours they can work. They often work on their own time as well. Some are paid for 20 hours a week but work more than 40 hours a week. They are technically off the clock but responding to emails or texts from community members.

AN “ARMY OF NAVIGATORS” IS NEEDED, A WIDER NETWORK.

Navigators are not sure if they are ready to handle expansion of their work. They are struggling to meet current goals.

IMPLICATIONS OF THE FOCUS GROUP REMARKS

Workers and organizations are blunt about being taxed and at the limit of their capacity. In this context, expanding services would require 1) addressing the current model of services, which may not be sustainable and 2) possibly dramatically expanding the amount of personnel.

Regarding the current model: changes in expectations, technology and reporting may be needed if the staffing level is to remain the same. Worker stress may be alleviated by adjusting program goals or by instituting new policies. Regarding expansion of services to respond to new federal policies: the scope and scale of additional demands will depend on what policies might be created. It seems that expecting more of a strained system is not the best path toward helping a greater number of persons.



WHAT HAVE WE LEARNED FROM EXISTING SERVICES?

The Access to Justice Program, managed by The Resurrection Project, provides legal services to undocumented immigrants.²¹ The services include (but are not limited to) applications for legal status for victims of trafficking, for victims of domestic violence and for other immigrants without permanent legal status.

Administrative data from the immigration services of Illinois Access to Justice is presented here to describe a major source of legal services for persons without immigration status. The data that follow include services provided between January 2020 and March 2021.²²

LEGAL SCREENINGS

IN AN AVERAGE MONTH, SEVERAL HUNDRED PERSONS RECEIVE LEGAL SCREENINGS.

The program data report about 6,500 persons given legal screenings during the period analyzed, representing about 433 screenings per month.

CAPACITIES AND INVOLVEMENT VARY AMONG GROUPS PROVIDING SCREENINGS.

About 26 groups provided legal screenings during the period analyzed. The number of screenings varied substantially, from a few dozen to more than 500.²³

NUMBER OF LEGAL SCREENINGS PROVIDED BY ORGANIZATIONS	
# SCREENINGS	# OF ORGS
<100	5
100-199	9
200-299	4
300-399	2
400-622	6

E.g., 5 organizations provided <100 legal screenings

²¹ Other Access to Justice funds not specifically for immigration-related services and providing legal aid to formerly incarcerated persons and others are managed by the Westside Justice Center.

²² These data are for the immigration services side of Access to Justice, managed by The Resurrection Project, and do not include services managed by the West Side Justice Center.

²³ The extent of services that organizations provide are negotiated as part of their funding agreement.

MANY IMMIGRANTS HAVE NO IDENTIFIABLE RELIEF; MOST COMMON RELIEF IDENTIFIED ARE ADJUSTMENT OF STATUS, U VISAS AND ASYLUM.

Of the types of immigration relief identified for individuals, the largest three categories were adjustment of status (18%), U visas (10%) and asylum (10%).

LEADING TYPES OF IMMIGRATION RELIEF IDENTIFIED: JANUARY 2020–MARCH 2021

	#	% OF TOTAL
Total	6,469	100%
None	1,420	22%
Adjustment of Status	1,186	18%
Other	988	15%
U-Visa	654	10%
Asylum	620	10%
Unable to Determine	493	8%
I-765 Application for Work Authorization	208	3%
Consular Processing	207	3%
I-751 Petition to Remove Conditions on Residence	146	2%
VAWA	146	2%
Special Immigrant Juvenile Status	124	2%
Non-LPR Cancellation	108	2%
I-601A Provisional Unlawful Presence Waiver	67	1%
Bond Hearing	57	1%
Temporary Protective Status	45	1%

SOME ZIP CODES HAD RELATIVELY HIGH LEVELS OF SCREENINGS.

Screenings by zip code were compared to noncitizen population by zip code. The result identified a few dozen zips with relatively high levels of screenings. These zips were found across the state, but were somewhat concentrated in DuPage County.

²⁴ A ratio was calculated for each zip code: (the zip's share of all noncitizens in Illinois/zip's share of all A2J legal screenings in Illinois)

ZIP CODES WITH RELATIVELY HIGH A2J SCREENING



IMPLICATIONS OF FINDINGS ON LEGAL SERVICES

EXPANSION INTO ADDITIONAL COMMUNITIES MAY BE CALLED FOR.

Geographic adjustments of services may be needed in light of the analysis of zip code locations of persons served. The goal would not be to reduce services in areas where they are relatively high, because in these areas the services are not “high” per se, they are only relatively more numerous compared to other areas.

THE MIX OF RELIEF IDENTIFIED REPRESENTS THE REALITIES OF LIMITED OPTIONS.

Twenty percent of potential relief identified for immigrants getting legal screenings are for U-visas and asylum. While critical for the persons involved, these channels are not available for the vast majority of undocumented immigrants. A long list of relief identified as “Other” in this report further reflects the lack of an option that might read “Legalization” and be available to the majority of persons.²⁵

25% OF POTENTIAL RELIEF IDENTIFIED
FOR IMMIGRANTS GETTING LEGAL
SCREENINGS ARE FOR U-VISAS
AND ASYLUM.

²⁵ 22% of those screened were ineligible for any relief at this time and 8% required additional research to determine eligibility.

A NEW LEGAL SERVICES NETWORK HAS BEEN CREATED.

In Illinois, a new network of dozens of organizations has been established via the Illinois Access to Justice program that provided over 6,500 legal screenings during a 15-month period. This represents an effort with little precedent in the United States. The network and program, being relatively new, are at a stage where they may need to examine the best ways to mature, solidify and improve institutional practices. This might include considering forms of communication among the individual groups, training needs, considerations of how best to expand if resources become available. It may be worthwhile to consider how other human service networks in Illinois have grown, and see if there are lessons that can be learned from existing systems of nonprofits providing, for example, childcare, services to seniors, services to the disabled, or workforce training.

OUTREACH

ABOUT 870 COMMUNITY NAVIGATORS CONDUCTED OVER 10,000 ACTIVITIES TO EDUCATE THE PUBLIC

Over the January 2020-March 2021 period, approximately 870 navigators were hired to conduct community education and engagement. The navigators reported 10,708 activities. Some of these activities were one-on-one engagements but others involved social or electronic media and reached many persons in one event. The navigators reported making 2,813 referrals to organizations with capacity to give legal advice.

NUMBER OF COMMUNITY NAVIGATORS ACTIVE IN ACCESS TO JUSTICE PROGRAM GRANTEEES

# NAVIGATORS	# OF ORGS
0-19	6
20-29	4
30-75	7
76-176	4

E.g., 6 organizations employ <20 navigators

OUTREACH IMPLICATIONS

THE 870 NAVIGATORS REPRESENT A NEW AND LARGE RESOURCE.

The navigators have received basic training on immigration law and policy (although explicitly they are not authorized to offer legal advice). They represent a large group of trained persons with close ties to the communities they work in. Community navigators’ reach, geographic, and cultural coverage may represent a unique development in Illinois legal services that could or should be maintained as much as possible, especially given the investment that has been made in them.²⁶

²⁶ Each Access to Justice grantee provides training to its navigators, and The Resurrection Project provides training to all navigators.

WHAT DO WE KNOW ABOUT IMMIGRATION ENFORCEMENT AND LEGAL REPRESENTATION OF IMMIGRANTS?

RATES OF LEGAL REPRESENTATION VARY WIDELY BY CUSTODY STATUS AND BY LOCATION

At the heart of legal services for immigrants is the recognition that all persons deserve access to legal representation. The Transactional Records Access Clearinghouse (TRAC) at Syracuse University reports that in the year 2020, 10,680 new deportation proceedings were initiated in the Chicago immigration court.²⁷

TRAC reports that in February 2019 there were 19,456 Illinois residents with cases pending in immigration court. Of these persons, about 24 percent were represented by an attorney in immigration court within the first 90 days of their case being filed in court. Of the population whose case has been in court for more than 90 days, their rate of representation reached 73 percent statewide.

A separate set of data provided by TRAC tallies immigration court proceedings through May 2021 for Illinois and describes how many immigrants had representation broken down by whether they were in custody or not. There is a large disparity in access to counsel based on custody. The great majority of detained immigrants -- some 79 percent -- were not represented. In contrast, of immigrants who had been released from custody, 74 percent were represented.

IMMIGRATION COURT PROCEEDING THROUGH MAY 2021

	TOTAL	REPRESENTED	NOT REPRESENTED
Total	163,631	49%	51%
Never Detained	90,581	56%	44%
Detained	47,381	21%	79%
Released	25,667	74%	26%
Not Known	2	50%	50%

Source: TRAC, at <https://trac.syr.edu/phptools/immigration/nta>

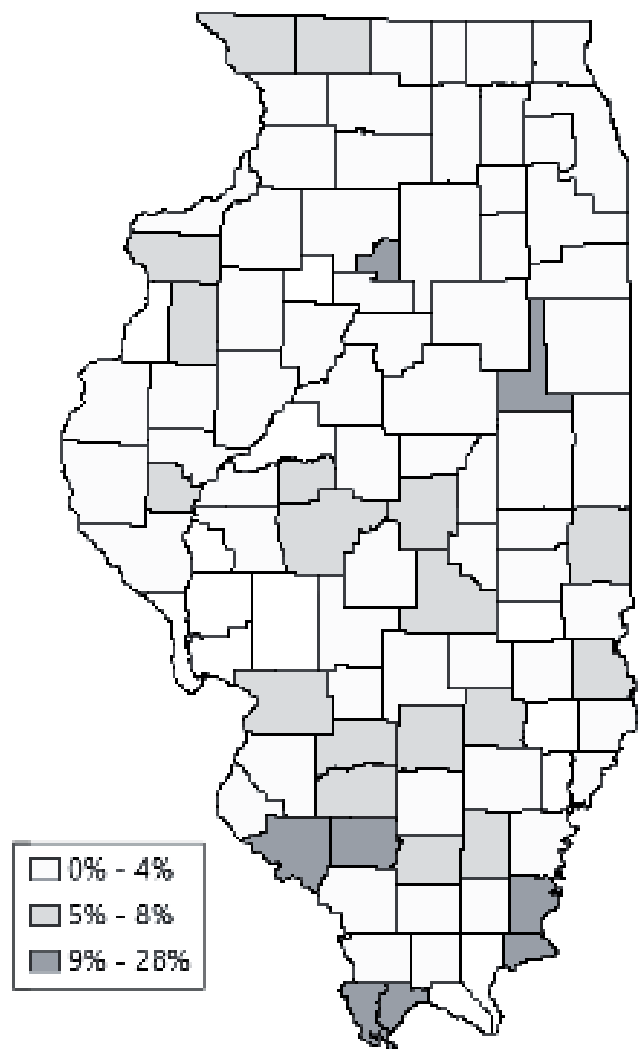
The low rates of representation of persons in detention reflect multiple factors. Persons in detention are often quickly processed in a few months and can have complex cases. This makes the cases resource-intensive and there can be few private bar practitioners willing to take these cases. The detainees also are not employed and may lack ability to pay for representation. Regardless of current employment, the detainees often lack savings and other financial resources.

²⁷ Information on ICE activities is available from the Transactional Records Access Clearinghouse (TRAC) at Syracuse University. TRAC collects data via Freedom of Information Act requests.

Many detainees are transferred to ICE after posting bail on criminal charges. ICE often considers their cases to merit removal/deportation, but attorneys can successfully challenge that stance. The cases, however, often move into federal appeals court and can require deep attorney expertise. Communication by a lawyer with detained individuals can be difficult, as they can be held far from Chicago.

The odds of representation also vary widely geographically. To use an example, Williamson County had 8 persons in immigration court with cases over 90 days, but only 2 or 25 percent had an attorney. In Douglas County, all 10 persons in immigration court were reported to have an attorney.

Cases can be analyzed as a percentage of the noncitizen population in each Illinois county. In some counties the number of immigrants in immigration court represent more than one in eight noncitizens in the county. Many of these counties have relatively small immigrant populations, but the data suggest a high need for legal services. The counties with a large share of immigrants in court are generally in rural Illinois and far from metro Chicago. This pattern is consistent with the presence of newer populations with more undocumented members.



ICE APPREHENSION METHODS INCLUDE DETAINERS BUT ALSO COMMUNITY ACTIONS

U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) are branches of the U.S. Department of Homeland Security, and have authority to arrest and detain immigrants, leading to removal (deportation) of Illinois residents.

Data on arrests made by ICE are available for the 2015-2018 period in Illinois from TRAC. Information on the method of arrest provide insight into the scope of immigration enforcement in Illinois. During the 2015-2018 period, some 8,732 arrests are reported, or about 2,100 ICE arrests per year.

Two broad categories account for the majority of ICE arrests, and provide an indication of how the agency locates immigrants and the effects that the agency's operations can have on communities.

The largest share of ICE arrests, about 42 percent, are made through the Criminal Alien Program, which identifies immigrants in prisons and jails.²⁸

The other main category of ICE arrests does not involve immigrants detained in a jail or prison but rather happen as a result of "at-large" enforcement that essentially occurs within the community. These include 19 percent of arrests that are simply reported by ICE to have been "located" and 16 percent defined as "non-custodial arrests."

The remaining category of ICE arrests that accounts for a substantial share of all arrests is "Enforcement and Removal Operations reprocessed arrests." These are 18 percent of arrests.²⁹ ICE apprehension categories are difficult to fully define, and researchers have struggled to understand the agency's definitions and methods.³⁰

ICE APPREHENSION CATEGORIES ARE DIFFICULT TO FULLY DEFINE, AND RESEARCHERS HAVE STRUGGLED TO UNDERSTAND THE AGENCY'S DEFINITIONS AND METHODS

²⁸ https://trac.syr.edu/phptools/immigration/arrest/about_data.html

²⁹ Possibly these are individuals who are already subject to orders of removal or release orders and are being brought back into custody.

³⁰ Guillermo Cantor and others were unable to fully determine the meaning of apprehension data that ICE had provided under the Freedom of Information Act. Changing Patterns of Interior Immigration Enforcement in the United States, 2016-2018 by Guillermo Cantor, Emily Ryo, and Reed Humphrey. American Immigration Council, June 2019.

ICE ARRESTS BY APPREHENSION METHOD/AGENCY: ILLINOIS 2015-2018

	NUMBER	% OF TOTAL
ALL	8,732	100%
CAP State Incarceration	1,792	21%
Located	1,632	19%
ERO Reprocessed Arrest	1,595	18%
CAP Local Incarceration	1,568	18%
Non-Custodial Arrest	1,358	16%
CAP Federal Incarceration	280	3%
Probation and Parole	273	3%
Other efforts	141	2%
Other Agency (turned over to INS)	54	1%
Law Enforcement Agency Response	23	0%
Other Task Force	9	0%
Traffic Check	3	0%
Crewman/Stowaway	1	0%
Worksite Enforcement	1	0%
Transportation Check Passenger Tra	1	0%
Inspections	1	0%



ICE DETAINERS HAVE EXCEEDED 1,000 PER YEAR IN ILLINOIS; MEXICANS HAVE BEEN DISPROPORTIONATELY DETAINED

In August 2021 Illinois Governor J.B. Pritzker signed the Illinois Way Forward Act, building upon the 2017 Illinois Trust Act. The Trust Act already prohibited facilities from honoring ICE detainers, which are requests by ICE to prisons and jails to hold inmates for up to 48 hours for ICE. The Illinois Way Forward Act, among other changes to how Illinois law enforcement can assist ICE, further restricts ICE's access to individuals in police custody or facilities and ends ICE contracts with local jails. The new provisions should make it more difficult for ICE to identify noncitizens in criminal custody.

Attention to the question of ICE cooperation with local jails, however, is likely to be needed in the future, given evidence that some local law enforcement agencies have not been complying with already existing state policies intended to limit that cooperation and ICE's ability to obtain noncitizen information through the Secure Communities program, regardless of local cooperation.³¹ Information will also be needed regarding how ICE may shift enforcement strategies in light of new state policy, e.g., by appearing at jails where detainees are released, by increased community enforcement actions, by traffic stops, etc.

Although detainers are generally not honored in Illinois, detainer data provides insight into who ICE has targeted for enforcement actions. TRAC data reports that ICE has issued well over 1,000 detainers per year in Illinois including in 2020. Even when ICE cannot rely on a jail to honor a detainer, ICE agents are able to locate noncitizens following their release and detain them then.

The TRAC data on detainers shed light on which immigrant communities are most affected by immigration enforcement.

**ICE DETAINERS, FOR EXAMPLE,
DISPROPORTIONATELY INVOLVE MEXICAN
NATIONALS, WHO ARE ABOUT 65 PERCENT OF ALL
UNDOCUMENTED IMMIGRANTS IN ILLINOIS BUT ARE
83 PERCENT OF PERSONS HELD VIA ICE DETAINERS.**

³¹ The ACLU of Illinois has sued the sheriffs of Ogle and Stephenson counties for Trust Act violations and the detention, for ICE, of persons stopped for minor traffic offenses. <https://www.aclu-il.org/en/cases/trust-act> accessed 5/7/21. Attorneys in our focus groups also reported cases of inappropriate detention by local law enforcement.

ICE DETAINED BY COUNTRY OF CITIZENSHIP: 2003–2020

	TOTAL	% OF TOTAL
ALL	49,402	100%
Mexico	40,995	83%
Guatemala	1,536	3.1%
Honduras	1,009	2%
Poland	986	2%
El Salvador	552	1.1%
Ecuador	352	0.7%
Cuba	290	0.6%
Not Known	237	0.5%
Colombia	144	0.3%
Lithuania	137	0.3%
India	126	0.3%
Belize	124	0.3%
Jordan	122	0.2%
Philippines	117	0.2%
Romania	114	0.2%
Nigeria	111	0.2%
Ukraine	111	0.2%
Jamaica	110	0.2%
Iraq	101	0.2%
Other	2,128	4.3%

Source: Transactional Records Access Clearinghouse

FOR THOSE WHO DO, HOWEVER, LEGAL REPRESENTATION IS CRITICAL BECAUSE THEIR DETENTION IS OFTEN A FIRST STEP TOWARD DEPORTATION. LEGAL COUNSEL IS SPECIALIZED AND COSTLY.

IMPLICATIONS OF ICE ENFORCEMENT ACTIVITIES

The great majority of undocumented immigrants in Illinois do not come into contact with local law enforcement or ICE. For those who do, however, legal representation is critical because their detention is often a first step toward deportation. Legal counsel is specialized and costly. Detained persons may face criminal charges requiring representation involving both criminal and immigration law. Few non-profit legal providers currently offer this combination of skills, but a statewide legal network of services would be drastically incomplete without a cadre of attorneys capable of mounting defense.

The nature of ICE enforcement is a challenge to the goal of ensuring affordable legal services for immigrants in detention. Serving the detained means dealing with the fact that detention locations are spread across the state and can be far from the non-profit legal providers. Attorneys are often limited to phone contact.

The primary sites of long-term detention in Illinois are McHenry County Jail in Woodstock, Illinois and Jerome Combs Detention Center in Kankakee, Illinois. A third facility, Pulaski County Jail, stopped holding immigrants in summer 2021. It is anticipated that McHenry and Jerome Combs will also have to end their contracts with ICE by early 2022, and that Illinois residents will then be detained in neighboring states. Given the distance of detention facilities, immigration attorneys do not have the kind of access to detained persons that those immigrants deserve and must rely on phone calls rather than in-person meetings with clients. These facts complicate any plan for expanding services to meet detained immigrants where they are.

**FEW NON-PROFIT LEGAL PROVIDERS CURRENTLY
OFFER THIS COMBINATION OF SKILLS, BUT A
STATEWIDE LEGAL NETWORK OF SERVICES WOULD
BE DRASTICALLY INCOMPLETE WITHOUT A CADRE OF
ATTORNEYS CAPABLE OF MOUNTING DEFENSE.**

THE PHILANTHROPIC SECTOR

The primary focus of this report is the capacity of legal service providers. The capacities of non-profit philanthropies that support immigrant services, however, are a key part of the picture of Illinois readiness.

Illinois is home to many private foundations that directly or indirectly support services to immigrants. The primary vehicle for mobilizing giving across the foundation landscape is the Illinois Immigration Funders Collaborative (IFC). The IFC coalesced in 2012 with the creation of DACA, and eventually expanded its goals to include a larger array of services including asylum, TPS, VAWA, family reunification and status adjustment.³² Groups are also funded to provide training and technical assistance and field coordination and IFC supported administrative costs related to distributing state economic relief funds.

In 2021 IFC will make grants of approximately \$1.3 million. Roughly half of that amount goes to legal services (including technical assistance to legal providers) and half is dedicated to civic engagement. In 2020 the amount donated was about \$3.7 million which included \$2.6 million in funding related to the pandemic. Forty-five percent of donations are directed to the city of Chicago, forty-five percent to the suburban metro area and ten percent to the downstate area.

The anti-immigrant policies of the Trump administration and the impact of the COVID pandemic have motivated foundations to increase their funding to immigrant services. For example, there are now twenty local partners in the Immigration Funders Collaborative. The Trump Administration's policies around public charge, which made immigrants reluctant to participate in medical programs, health-oriented funders to support immigrant services, just as the educational requirements of DACA encouraged support from foundations focused on education. The broadening of local philanthropic support for immigrant legal services represents growing awareness in philanthropy of the need for immigrant legal services and means that Illinois is somewhat well situated to leverage more support in light of any new federal pathways for the undocumented.

THE FIELD OF IMMIGRANT LEGAL SERVICES IN ILLINOIS FACES A TWO-FOLD CHALLENGE: HOW TO IMPROVE OR EXPAND SERVICES UNDER THE EXISTING REGIME OF FEDERAL POLICIES AND LAWS VERSUS HOW TO POTENTIALLY CHANGE AND GROW SERVICES IF THE FEDERAL GOVERNMENT APPROVES A LEGALIZATION-TYPE EXPANSION.

³² A predecessor to the IFC was the Fund for Immigrants and Refugees which was created in part with funds from the Emma Lazurus Fund established in the mid 1990s by George Soros.

OVERALL OBSERVATIONS AND RECOMMENDATIONS

The landscape of legal services in Illinois is a situation of contrasts. The state is a national model for immigrant integration services and invests substantially in a variety of human service and legal support systems for immigrants. At the same time, like other port-of-entry or gateway immigration states, Illinois is home to an extremely large foreign-born population and its service organizations cannot meet much of the demand it faces.

Compared to other states, there is an impressive number of services available for immigrants in Illinois. Multiple government entities including, principally, the state, the county of Cook and the city of Chicago invest in immigrant-directed legal services. But the availability of these services means there are different levels of government providing funding with differing eligibility rules. It presents a challenge of coordinating actions across government jurisdictions. Service challenges cut across areas of law, such as criminal and immigration, and across service models, e.g., walk-in, social-service model versus the recently authorized representation of immigrants in immigration court by Cook County public defenders. There are still other dualities, such as the responsibilities involved in applying for citizenship compared to defense against removal from the U.S.

With their number approaching nearly a hundred, the service providers in Illinois represent their own complex ecosystem. They include groups that only began to provide legal services in the last two years, and organizations with decades of experience. There are groups that have a local, community focus and others with a national reach in terms of their outreach and impact on federal policies. Groups have roots in community organizing, social service and faith institutions. Coordinating them, providing training opportunities and adequate funding requires management of a complicated network for which no one entity is responsible.

The field of immigrant legal services in Illinois faces a two-fold challenge: how to improve or expand services under the existing regime of federal policies and laws versus how to potentially change and grow services if the federal government approves a legalization-type expansion. In either situation, a “quality” vs. “quantity” problem exists: whether to relieve the stresses on providers with their existing capacities or to expect them to serve even more persons within a comparable framework of tight budgets. Possibly, a middle path can be found to address both scenarios. The difficult work environment – high caseloads, staff retention, traumatized clients -- that providers have been experiencing, all exacerbated by COVID, were heard loud and clear in our focus groups.

Due to investments by the state, Cook County, and the city of Chicago, Illinois has dramatically increased the field of immigrant legal services within just a few years. It may be time to consider immigrant legal services in Illinois as having made it through a “start-up phase” and entering what could be a more settled period in which the kind of initial problems facing any new system are ironed out. This means thinking strategically about maturing the field, addressing the quantity-vs-quality issue, and raising the sophistication of provider networks to a new level. These steps are called for regardless of whether federal policy action increases the numbers of persons eligible for relief.

APPENDIX ONE-ON-ONE INTERVIEWS

- Sioban Albiol, Asylum & Immigration Law Clinic instructor Legal Resources Project Director, DePaul University
- Nell Barker, Immigration and Nationality Law Attorney at Kempster, Corcoran, Quiceno & Lenz-Calvo, Ltd.
- Lawrence Benito, Chief Executive Officer, Illinois Coalition for Immigrant and Refugee Protection
- Alice Cottingham, Independent Consultant, Alice Cottingham and Associates
- Nora Garcia, Healthy Communities Foundation
- Bob Graves, Executive Director, The Chicago Bar Foundation
- Adolfo Hernandez, Director, Pritzker Community Health Initiative, J.B. and M.K. Pritzker Family Foundation
- Joshua Hoyt, (former) Executive Director, National Partnership for New Americans
- Lilian Jimenez, Associate Director Office of Welcoming Centers for Refugee and Immigrant Services, Illinois Department of Human Services
- Anna Lee, Senior Director of Community Impact, The Chicago Community Trust
- Jane Lombardi, Director of Immigrant Justice Partnerships, The Resurrection Project
- Hena Mansori, Immigration Unit Attorney Supervisor, Cook County Public Defender Office
- Breandan McGee, Senior Director of Programs, Illinois Coalition for Immigrant and Refugee Protection
- Mary Meg McCarthy, Executive Director, National Immigrant Justice Center
- Laura Mendoza, Immigration Organizer, The Resurrection Project
- Dina Merell, (former) Associate Director, The Chicago Bar Foundation
- Sarah Mesick, Director of Programs, National Partnership for New Americans
- Luvia Morena, Assistant Dean/Director of Undocumented Student Resources, Northeastern Illinois University
- Scott Pollock, Founding Partner, Scott D. Pollock and Associates PC
- Eréndira (Ere) Rendón, Vice President of Immigrant Advocacy and Defense, The Resurrection Project
- Chuck Roth, Attorney / Director of Appellate Litigation, National Immigrant Justice Center
- Fred Tsao, Senior Policy Counsel, Illinois Coalition for Immigrant and Refugee Protection
- Alison Upton Lopez, Executive Director, Julian Grace Foundation

APPENDIX ADVISORY GROUP MEMBERS

ABOUT ROB PARAL

Rob Paral is a demographic and public policy consultant with specialties in immigrant, Latino and Asian populations; community needs for health and human service programs; and Midwestern demographic change. As Principal of Rob Paral and Associates, Rob has assisted more than 100 different human service, advocacy and philanthropic organizations in understanding the communities they are trying to serve. Rob is a Research Specialist with the Great Cities Institute of the University of Illinois at Chicago and a nonresident fellow in the Global Cities program of the Chicago Council on Global. More information may be found at <https://robparal.com/>

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