

December 2017

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# Justice AmeriCorps Legal Services for Children Program

Final Report

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Vera Institute of Justice

**Vera** Center on Immigration + Justice

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## Executive Summary

The Vera Institute of Justice is pleased to submit this Final Report on the justice AmeriCorps (jAC) Legal Services for Unaccompanied Children Program, which covers cumulative jAC operations from January 1, 2015 to August 31, 2017. The report summarizes performance indicators collected from jAC grantees using the online Caspio database designed and implemented by Vera at the inception of the program. The data presented are grouped into these sections, each relating to one of the jAC Program's main objectives:

- 1) Increasing levels of representation of unaccompanied children in immigration court
- 2) Increasing effectiveness and efficiencies in the immigration court system
- 3) Increasing identification of child victims of trafficking and abuse
- 4) Building pro bono capacity to support and represent unaccompanied children in immigration court

Other program objectives not covered in this report, but covered in the Outcome Evaluation, include:

- 5) Increasing children's understanding of immigration court proceedings and ability to present their cases
- 6) Strengthening AmeriCorps member satisfaction with national service

Vera welcomes questions and comments.

# Section 1: Increasing Levels of Representation of Unaccompanied Children

Data source: Legal service providers' data entered into the justice AmeriCorps (jAC) database from January 1, 2015 to August 31, 2017. Vera only included cases that have a valid A Number and were matched with a jAC member.

**Total cases matched with a jAC member: 3,119**

Figure 1  
**Cases Matched, by Grantee**

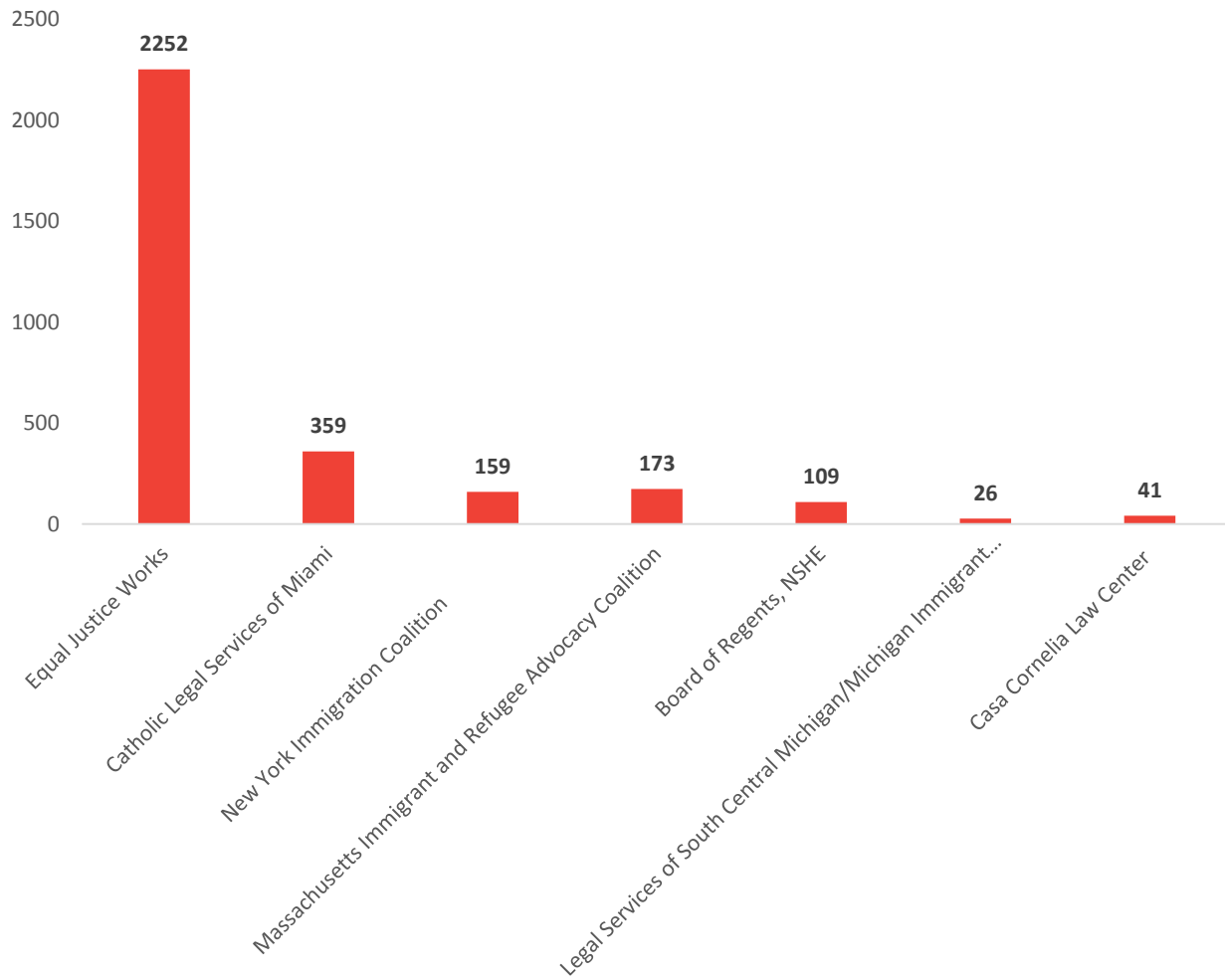


Table 1

**Number of Children Represented by jAC, by Provider**

<b>Grantee</b>	<b>Provider</b>	<b>Number of UC</b>
<b>Board of Regents, NSHE</b>	<b>Board of Regents, NSHE</b>	<b>109</b>
<b>Casa Cornelia Law Center</b>	<b>Casa Cornelia Law Center</b>	<b>41</b>
<b>Catholic Legal Services of Miami*</b>	<b>Catholic Legal Services</b>	<b>359</b>
<b>Equal Justice Works</b>	<b>ABLE</b>	<b>74</b>
	<b>Catholic Charities Atlanta</b>	<b>130</b>
	<b>Catholic Charities Baltimore</b>	<b>36</b>
	<b>Catholic Charities Baton Rouge</b>	<b>52</b>
	<b>Catholic Charities Dallas</b>	<b>253</b>
	<b>Catholic Charities DC</b>	<b>80</b>
	<b>Catholic Charities Denver</b>	<b>77</b>
	<b>Catholic Charities Long Island</b>	<b>82</b>
	<b>Catholic Charities New Orleans</b>	<b>55</b>
	<b>Catholic Migration Services</b>	<b>55</b>
	<b>DMRS</b>	<b>11</b>
	<b>FIRRP</b>	<b>75</b>
	<b>HIAS Pennsylvania</b>	<b>118</b>
	<b>KIND Atlanta</b>	<b>34</b>
	<b>KIND Baltimore</b>	<b>129</b>
	<b>KIND Boston</b>	<b>128</b>
	<b>KIND Newark</b>	<b>64</b>
	<b>KIND Seattle</b>	<b>71</b>
	<b>LCCR</b>	<b>46</b>
	<b>LSSP</b>	<b>126</b>
	<b>Mid-Minnesota Legal Assistance</b>	<b>17</b>
	<b>NIJC</b>	<b>80</b>
	<b>NMILC</b>	<b>17</b>
	<b>RAICES</b>	<b>164</b>
	<b>RMIAN</b>	<b>99</b>
	<b>Social Justice Collaborative</b>	<b>73</b>
	<b>The Advocates for Human Rights</b>	<b>34</b>
	<b>University of Alabama</b>	<b>25</b>
	<b>University of Tennessee College of Law</b>	<b>2</b>
	<b>VIDA</b>	<b>45</b>
<b>Michigan Immigrant Rights Center</b>	<b>Michigan Immigrant Rights Center</b>	<b>26</b>
	<b>Catholic Charities Boston</b>	<b>35</b>
	<b>Catholic Social Services</b>	<b>17</b>
<b>Massachusetts Immigrant and Refugee Advocacy Coalition</b>	<b>Central West Justice Center</b>	<b>37</b>
	<b>Greater Boston Legal Services</b>	<b>32</b>
	<b>MetroWest</b>	<b>24</b>
	<b>Northeast Justice Center</b>	<b>28</b>
	<b>CARECEN-NY</b>	<b>40</b>
<b>New York Immigration Coalition</b>	<b>New York Legal Assistance Group</b>	<b>9</b>
	<b>Pace Community Law Practice</b>	<b>26</b>
	<b>Safe Passage Project</b>	<b>84</b>
<b>Total</b>	<b>Total</b>	<b>3,119</b>

\*Sub-grantees of Catholic Legal Services of Miami include Americans for Immigrant Justice, Cuban American Bar Association Pro Bono Project, and Legal Aid Service of Broward County. Their data is reported to Vera jointly.

Table 2

**Number of Children Represented by jAC, by Gender**

Gender	Number of UC	Percent of UC
Male	1,802	58%
Female	1,317	42%
<b>Total</b>	<b>3,119</b>	<b>100%</b>

Figure 2

**Total Cases Matched, by Gender**

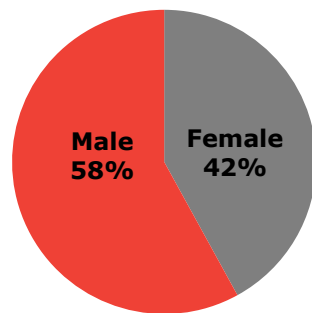


Table 3

**Number of Children Represented by jAC, by Country of Birth**

Country of Birth	Number of UC	Percent of UC <sup>1</sup>
El Salvador	1061	34%
Guatemala	954	31%
Honduras	897	29%
Mexico	125	4%
Ecuador	12	<1%
Nicaragua	10	<1%
Other	11	<1%
<b>Total</b>	<b>3,070</b>	<b>100%</b>

<sup>1</sup> The percentages shown are valid percentages, excluding the missing information. There were 49 clients with missing information for country of birth.

Table 4

**Number Represented, by Primary Language**

Language	Number of UC	Percent of UC <sup>2</sup>
Spanish	2,875	94%
Mam	71	2%
Quiche	59	2%
Kanjobal	23	1%
Akateko	8	<1%
Chuj	8	<1%
Ixil	4	<1%
Quichua	1	<1%
Achi	1	<1%
English	1	<1%
Punjabi	1	<1%
Popti	5	<1%
Aguacateco	1	<1%
Saho	1	<1%
Mixteca	1	<1%
Kachiquel	2	<1%
<b>Total</b>	<b>3,062</b>	

<sup>2</sup> The percentages shown are valid percentages, excluding the missing information. There were 57 clients with missing information for primary language.

Table 5

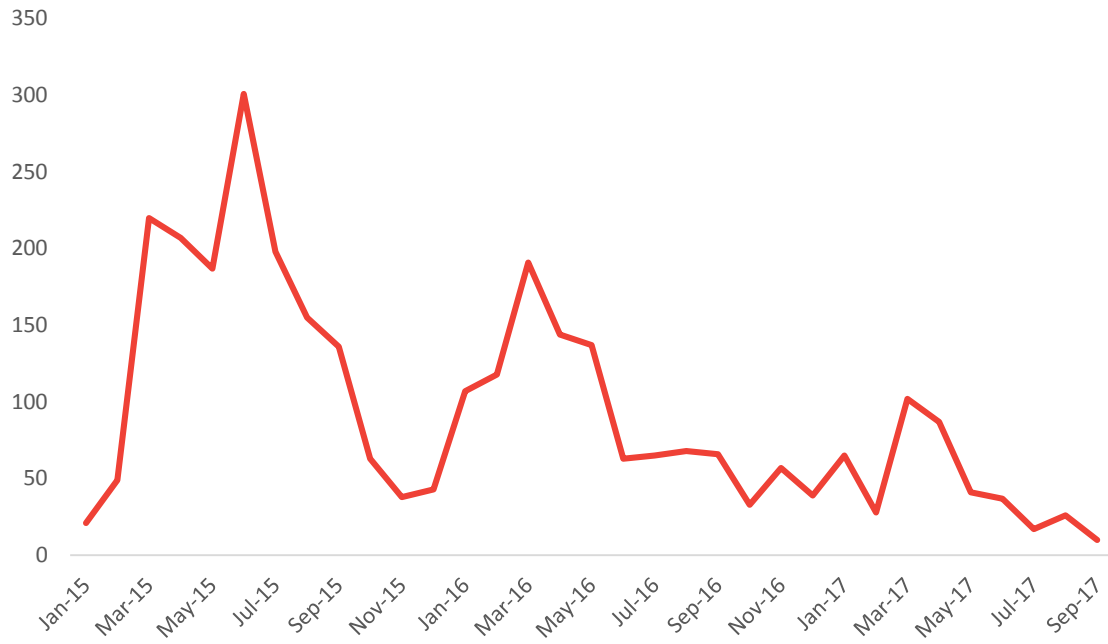
**Number Represented, by Month**

<b>Year</b>	<b>Month</b>	<b># Represented</b>	<b>Cumulative</b>
2015	Jan	21	21
2015	Feb	49	70
2015	Mar	220	290
2015	Apr	207	497
2015	May	187	684
2015	Jun	301	985
2015	Jul	198	1183
2015	Aug	155	1338
2015	Sep	136	1474
2015	Oct	63	1537
2015	Nov	38	1575
2015	Dec	43	1618
2016	Jan	107	1725
2016	Feb	118	1843
2016	Mar	191	2034
2016	Apr	144	2178
2016	May	137	2315
2016	Jun	63	2378
2016	Jul	65	2443
2016	Aug	68	2511
2016	Sep	66	2577
2016	Oct	33	2610
2016	Nov	57	2667
2016	Dec	39	2706
2017	Jan	65	2771
2017	Feb	28	2799
2017	Mar	102	2901
2017	Apr	87	2988
2017	May	41	3029
2017	Jun	37	3066
2017	Jul	17	3083
2017	Aug	26	3109
2017	Sep	10	3119
<b>Total<sup>3</sup></b>		<b>3,119</b>	

<sup>3</sup> For children who were missing the date when the jAC member was assigned, the date when the record was created in the database was used as a proxy (N=179 cases). Additionally, if a case had a date assigned prior to January 1, 2015, this proxy date was also used (N=20 cases).

Figure 3

**Number of Children Represented, by Month**





## Section 2: Increasing Effectiveness and Efficiencies in the Immigration Court System

*Data source: Legal service providers' data entered into the justice AmeriCorps (jAC) database from January 1, 2015 to August 31, 2017. Vera only included cases that have a valid A Number and were matched with a jAC member.*

**Table 6**  
**Total Cases Matched, by Case Charges<sup>4</sup>**

<b>One charge on NTA</b>	<b>Two charges on NTA</b>	<b>Three charges on NTA</b>	<b>Four charges on NTA</b>
<b>2569</b>	<b>68</b>	<b>2</b>	<b>0</b>

**Table 7**  
**Number of Charges Contested and Their Outcome<sup>5</sup>**

<b>Charge</b>	<b>Present Without Admission</b>	<b>Unlawful Presence</b>	<b>Other Charges</b>
<b>Contested</b>	<b>1455</b>	<b>53</b>	<b>51</b>
<b>Not Contested</b>	<b>557</b>	<b>57</b>	<b>33</b>
<b>Plead to some but not all allegations</b>	<b>24</b>		<b>21</b>
<b>Missing Information</b>	<b>376</b>	<b>32</b>	<b>21</b>
<b>Total</b>	<b>2,412</b>	<b>142</b>	<b>126</b>

<sup>4</sup> For 480 clients no charging information was entered into the database.

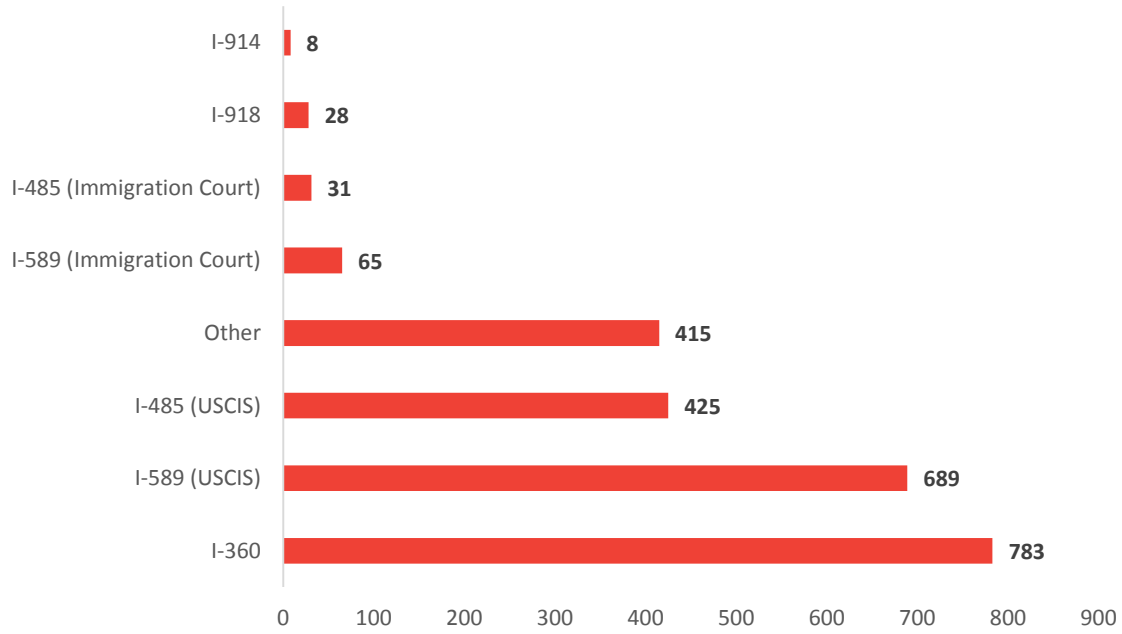
<sup>5</sup> The numbers in this table do not match the total number of clients since clients can have multiple charges on the NTA, as seen in the previous table.

## Applications

**Number of Unique Cases with Applications Filed: 1,553**

**Number of Applications Filed: 2,444**

Figure 4  
**Applications Filed with Immigration Court and USCIS<sup>6</sup>**



<sup>6</sup> These numbers exceed the total number of clients with an application filed because multiple applications can be filed on behalf of the same client.

Table 8

**Applications Filed by jAC members to USCIS and Immigration Court<sup>7</sup>**

	Granted	Denied	Pending or null
I-360 SIJS	388	2	392
I-485 Adjustment of Status (Immigration Court)	3	1	27
I-485 Adjustment of Status (USCIS)	47	12	365
I-589 Asylum/Withholding/CAT (Immigration Court)	18	4	43
I-589 Asylum/Withholding/CAT (USCIS)	170	69	446
I-914 T Visa	2	1	5
I-918 U Visa	0	1	27
<b>Total</b>	<b>628 (31%)</b>	<b>90 (4%)</b>	<b>1305 (65%)</b>

**Motions**

**Number of Unique Cases with Motions Filed: 2,100**

**Number of Motions Filed: 4,517**

Table 9

**Mode of Motions Filed<sup>8</sup>**

Motion Mode	# of Motions	% of Motions
Briefing	2,628	59%
Orally	1,854	41%

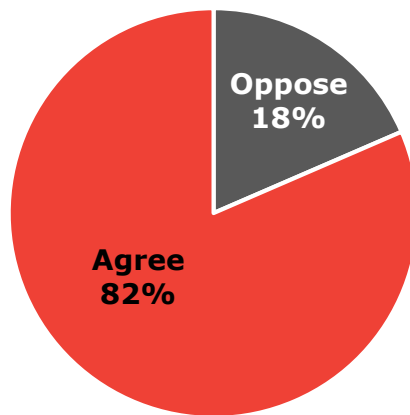
<sup>7</sup> This table *excludes* applications that were submitted but withdrawn (N=6), as well as the “Other” applications (N=415). “Other” applications are excluded because their grant and denial rates cannot be appropriately interpreted without understanding the nature of the applications.

<sup>8</sup> 35 cases did not include data on mode of motion in the database.

Table 10  
Government Position on Motions Filed<sup>9</sup>

<b>Govt. Position on Motion</b>	<b># of Motions</b>	<b>% of Motions</b>
<b>Oppose</b>	<b>530</b>	<b>18%</b>
<b>Agree</b>	<b>2,449</b>	<b>82%</b>

Figure 5  
Government Position on Motions Filed



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<sup>9</sup> 1,538 motions did not have information entered into the database about the government position.

**Table 11**  
**Motions Filed<sup>10</sup>**

Type of Motion Filed	Count of Filed	Granted	Denied	Withdrawn	Pending
For Consolidation (Immigration)	114	105	2		6
For Extension (Immigration)	12	10		2	
For Severance (Immigration)	16	13	3		
For Substitution of Counsel (Immigration)	288	251	3	1	30
Motion to Administratively Close (Immigration)	723	651	37	1	32
Motion to Reconsider (USCIS)	8		5		1
Motion to Terminate (Immigration)	768	536	149	6	63
Other Motion (Circuit)	2	2			
Other Motion (Immigration)	132	118	3	1	8
Other Motion before BIA	1				1
To Accept an Untimely Filing (Immigration)	49	48			1
To Advance (Immigration)	1				
To Amend (Before Immigration Court)	4	4			
To Change Venue (Immigration)	69	56	3	3	5
To Continue (Immigration)	2048	1973	23	1	48
To Present Telephonic Testimony (Immigration)	10	5	1	3	
To Recalendar (Immigration)	31	19			12
To Reconsider (before Immigration Court)	1				1
To Reopen (Immigration)	21	18			3
To Request an Interpreter (Immigration)	5	5			
To Waive Representative's Appearance (Immigration)	98	96			2
To Withdraw as Counsel (Immigration)	116	94	1		8
<b>Total</b>	<b>4517</b>	<b>89%</b>	<b>5%</b>	<b>&lt;1%</b>	<b>5%</b>

<sup>10</sup> The total of granted and denied motions may not equal the total number of motions. In some cases, the result of the motion was not entered into the database and in some instances the motion is still pending with the court. Also note that this table only captures up to five motions per case. Motions in excess of the fifth motion would not be recorded. According to EOIR data, the average numbers of motions per case is two for children's cases, so Vera does not believe this limitation has a significant impact on these results.

## Number of Cases that Sought Orders in State Court: 1,190

Table 12

### State Court Proceeding Types <sup>11</sup>

Proceeding Type	Granted	Denied	Withdrawn	Pending
Child support	1			3
Custody	409	10	6	176
Dependency	100	4	3	31
Divorce	3	1		1
Guardianship	169	1	5	87
Motions for a declaratory Judgment	59		1	21
Paternity	26	2		12
Termination of parental rights	2		2	2
Total	769 (68%)	18 (2%)	17 (1%)	333 (29%)

## Expert Testimony and Child Advocates

Number of Expert Testimony Proffered in jAC cases: 2

Number of Child Advocates Obtained in jAC cases: 43

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<sup>11</sup> The total of granted and denied cases may not equal the total number of orders. In some cases, the result of the proceeding was not entered into the database and in some instances the result is still pending with the court. Further, in some instances, the same proceeding type is listed in the data multiple times with different outcomes. There are also 137 “other” state court proceedings not reported here.

## Special Accommodations

Table 13

### Special Accommodations Sought<sup>12</sup>

Special accommodations sought?	# of Cases	Granted
Request to limit or not require testimony	2	No
Request to permit client's family to sit at counsel table	1	Yes

## Case Outcomes

Table 14

### Case Status<sup>13</sup>

Case Outcome	# of Cases	% of Cases
Case Open	2,267	73%
Attorney Withdrew	304	10%
Case Completed	548	18%
<b>Total</b>	<b>3,119</b>	

<sup>12</sup> Four cases also reported "other" special accommodations sought.

<sup>13</sup> Case statuses are reported as recorded by jAC members. Some cases which appear open may in fact be completed, but without the case outcome updated.

**Table 15**  
**Case Outcomes<sup>14</sup>**

<b>Case Outcome</b>	<b># of Cases</b>	<b>% of Completed Cases</b>
<b>Termination</b>	<b>281</b>	<b>51%</b>
<b>Administrative closure</b>	<b>155</b>	<b>28%</b>
<b>Relief</b>	<b>73</b>	<b>13%</b>
<b>Removal</b>	<b>30</b>	<b>5%</b>
<b>Voluntary departure</b>	<b>9</b>	<b>2%</b>
<b>Total</b>	<b>548</b>	

**Number of Cases Requested Prosecutorial Discretion<sup>15</sup>: 125**

**Number of Appeals Filed: 21**

### **Other Efficiency Indicators**

**Number of Cases Completed: 713**

**Of those, Average Case Time<sup>16</sup>: 323 days**

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<sup>14</sup> Case outcomes are reported as recorded by jAC members. This information may differ from the outcomes found in EOIR data.

<sup>15</sup> 968 cases did not enter information about requesting prosecutorial discretion into the database.

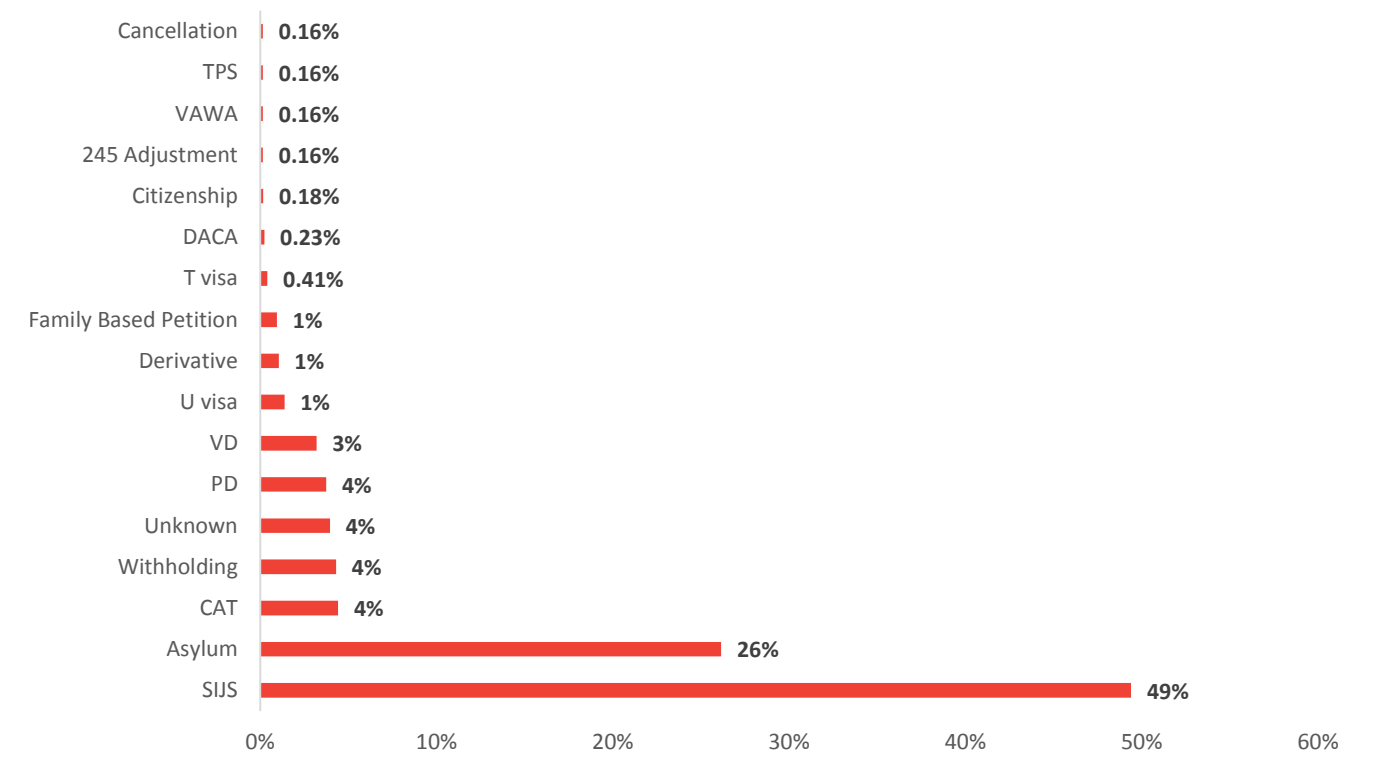
<sup>16</sup> Case time is calculated from the date a case is assigned to a justice AmeriCorps member to the case outcome date.



## Relief Identified

Data source: Legal service providers' data entered into the justice AmeriCorps (jAC) database's Aggregate Legal and Trafficking Screening Information Module from January 1, 2015 to August 31, 2017. Data entered into this module was completed each month in aggregate. Members were instructed to only enter one form of relief identified per child matched with a jAC member.

Figure 6  
"Main" Forms of Relief



## Section 3: Increasing Identification of Victims of Trafficking and Abuse

*Data source: Legal service providers' data entered into the justice AmeriCorps (jAC) database's Aggregate Legal and Trafficking Screening Information Module from January 1, 2015 to August 31, 2017. Data entered into this module was completed each month in aggregate.*

**Potential Victims Identified: 54**

**Trafficking Referrals Provided<sup>17</sup>: 35**

**Total Cases with Social Service Referrals: 2,927**

Table 16  
**Social Service Referrals Provided**

<b>Referral Type</b>	<b># Provided</b>
<b>Other</b>	<b>2,190</b>
<b>Counseling</b>	<b>1,570</b>
<b>Health</b>	<b>1,499</b>
<b>Child welfare agency</b>	<b>1,336</b>
<b>Housing</b>	<b>1,313</b>
<b>Food</b>	<b>1,226</b>
<b>Parish</b>	<b>1,217</b>
<b>Law</b>	<b>944</b>

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<sup>17</sup> As previously noted in Vera's program evaluation reports, the quality of data used in analysis is dependent upon the integrity of data entered by jAC grantees. In this dataset, one grantee reported higher than possible numbers of social service referrals for human trafficking victims. Those specific counts were not included in this analysis because they were deemed inaccurate as a result of likely data entry errors. Any referral provided by this site is not reflected in the above total (n=35) of referrals; however, potential trafficking victims identified by the site were counted in the total of identified victims (n=54). It is possible, therefore, that a greater number of potential trafficking victims received a referral than is reported above.

# Section 4: Building Pro Bono Capacity to Support and Represent Unaccompanied Children in Immigration Court

*Data source: Legal service providers' data entered into the justice AmeriCorps (jAC) database from January 1, 2015 to August 31, 2017. Vera only included cases that have a valid A Number. Unlike the previous sections, the providers were instructed to also include data on pro bono services and cases not placed in the jAC program. Those cases are also included in the numbers below.*

**Internal and External pro bono matches: 1,938**

**External pro bono matches: 583**

**Ineligible for jAC pro bono matches: 1,059**

**Pro bono matches for siblings of jAC clients: 148**

Table 17

## Pro Bono Capacity Building Activity

Pro Bono Capacity Building Activity	Number
Legal rights presentations to children and their caregivers on immigration law and court procedures provided	9,803
Intakes/screenings of children's cases to determine eligibility for jAC services conducted	6,646
Pro bono lists or general referrals to pro bono counsel provided	4,989
Pro bono training attendees	1,983
Cases for which general paralegal support to representatives providing pro bono representation to unaccompanied children was provided	1129
Pro bono attorneys reached through these other pro bono outreach activities	856
Cases for which interpretation assistance was provided on behalf of other representatives providing pro bono counsel to UC provided	495
Cases for which background legal or country of origin research was conducted on behalf of other representatives providing pro bono counsel to UC	459

<b>Outreach activities to local communities completed</b>	<b>366</b>
<b>Outreach activities to local communities regarding the jAC program completed</b>	<b>336</b>
<b>Pro bono trainings conducted</b>	<b>135</b>
<b>Other activities entered (i.e. Sent letters to potential jAC-eligible children, working with jAC clients' family law attorneys, completed jAC client declaration in support of SIJS Motion filed by pro bono attorney, etc.)</b>	<b>634</b>