This workshop was held at the 2018 Equal Justice Conference in San Diego, California.

Title:

Face To Face Family Preparation Planning For Deportation

Presenters:

Mindy Rush Chipman, Immigrant Legal Center, an affiliate of the Justice For Our Neighbors Network, Omaha, NE

Molora Vadnais, Legal Aid Foundation of Santa Barbara County, Santa Barbara, CA

The session will describe family preparation planning for deportation community events matching community advocates and interpreters with families living in fear of deportation. The session will discuss the benefits of one-on-one family preparation planning and how to start such a program.
Face To Face Family Preparation
Planning for Deportation
KEY TAKE-AWAYS:

• Who needs to plan for removal/deportation?
• What are the benefits of providing one-on-one family preparation in a community setting?
• How to launch a family preparation program?
About Us
(LAFSBC & ILC)
Providing free legal services to low-income individuals since 1959

- Family Violence Prevention
- Eviction Defense
- Fair Housing and Habitability
- Consumer Debt and Bankruptcy
- Consumer Fraud
- Elder Abuse and Neglect (financial, physical, and mental)
- Assistance to SRLs.
- Immigration Assistance
The Immigrant Legal Center (ILC) provides high-quality immigration legal services, education and advocacy throughout Nebraska and western Iowa.

ILC is an affiliate of Justice For Our Neighbors, a network of 15 state chapters offering more than 40 legal clinics for immigration legal services.

- ILC recently changed our name from Justice For Our Neighbors-NE (JFON-NE).

All ILC clients are at or below 150% of the Federal Poverty Guidelines, and ILC provides 100% free legal services.
In what capacity are you working with families that have immigration legal issues?

- Attorney whose practice includes representing parties in immigration matters
- Attorney whose practice does NOT include immigration law
- Social Service / Case Worker or Client Advocate
- Other
Who Needs to Prepare for Detention or Removal/Deportation from the U.S.
Every Family Should Have a Preparedness Plan!

Everyone should have a plan in place to help reduce the stress of the unexpected, regardless of immigration status; however, because of the additional challenges immigrant and mixed status families face, there are additional safety and preparedness measures that should be considered regarding potential detention and/or removal/deportation.
Members of Our Community:

<table>
<thead>
<tr>
<th>U.S. Citizens</th>
<th>Non-U.S. Citizens</th>
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<tbody>
<tr>
<td>By birth in the U.S.</td>
<td>Lawful Permanent Resident (&quot;LPR&quot; or &quot;Green Card Holder&quot;)</td>
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<tr>
<td>By acquisition</td>
<td>Fleeing persecution (asylees, refugees)</td>
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<td>By derivation</td>
<td>Temp. permission (DACA, TPS)</td>
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<tr>
<td>By naturalization</td>
<td>Non-immigrants (students, visitors)</td>
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<td>Undocumented</td>
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• **No** human is “illegal”

• Being present in the U.S. without permission is **not** a crime

• Many undocumented community members have **no** form of immigration relief available to them at this time
Limited Categories of Immigration Relief (Paths to LPR Status in U.S.):

- Family-Based Immigration
- Humanitarian Relief
- Employment-Based Immigration
- Diversity Program
Family Preparation Planning May Be the Only Option for Families!

- Immigrant families that do not have an immigration form of relief available to them have fears and uncertainty.

- Planning for worst case scenarios of family members facing deportation from the U.S. can help provide families with a sense of security to at least have a plan in place.
Immigrant families create a written plan in case a family member is detained or deported.

What is Family Preparation Planning?
Safety Planning / Deporation Preparation Experience?

What best describes your experience helping families create a plan in case of deportation?

- I have never heard of family preparation
- I have heard of family preparation, but do not have any direct experience
- I have helped families with family preparation
- I have participated in family preparation events
One-on-One Family Preparation for Deportation: A Community Approach
What is One-on-One Family Preparation?

Each family works individually and in private with a trained community volunteer and interpreter.
Benefits of Providing One-On-One Community-Based Family Preparation Sessions

- Complicated forms → made less complicated
- Can be done in a safe location
- Availability of other legal resources
- Availability of free notaries, copying, etc.
- One-on-one interaction = strengthened community
Special Considerations for Working with Undocumented Community Members

- Uncertainty of the Future
- Economic Hardships
- No (or limited) Access to Public Benefits
- Travel Restrictions
- Discrimination
- Isolation from Larger Community
- Limited Education and Literacy
- Highly Susceptible to Victimization
Launching a Program
How to Launch a Family Preparation Planning Program

• Gather or create forms
• Find a partner
• Book a space
• Find and train volunteers
• Recruit notaries, immigration attorneys, or other related service providers
<table>
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<tr>
<th>Materials and Material Preparation</th>
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<tbody>
<tr>
<td>• Child Care Forms and letters: Modify to work best in your jurisdiction</td>
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<tr>
<td>• Adult Emergency Contact Forms</td>
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<tr>
<td>• Financial and Medical Plan</td>
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<tr>
<td>• “Know Your Rights” review</td>
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<tr>
<td>• Immigrant resources list and literature</td>
</tr>
<tr>
<td>• Review of “To Do” list</td>
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<tr>
<td>- (all forms bilingual)</td>
</tr>
</tbody>
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Examples of Successful Partnerships

Legal Aid Foundation of Santa Barbara County and the Immigrant Legal Center have successfully partnered with:

- Immigrant activist/advocacy organizations
- Churches
- Political Action Organizations
- Schools
- Other legal services nonprofits

A good partner brings:

- Access to community volunteers
- Access to immigrant families
- Access and trust of community leaders
Community Volunteers

- Advocates
- Young people: child care and greeting
- Interpreters
- Food donation and preparation
- Notary
- Pro Bono legal professionals
Volunteer Training

• Review forms line by line
• Emphasize respect family relationships and parental authority
• Deemphasize politics
• Expect confusion and doubt
Maximizing Participation by Families

- Safe location
- Advertise on the radio and promote in person
- Recruit trusted resources
- Choose a good time for working families
- Provide food and activities for kids
Benefits to Safety Planning / Family Preparation

• Improved Mental Health
• Less Fear
• Renewed Parental Confidence
• Increased Self Esteem
• Less Exploitation
• Hope
• Community Empathy and Empowerment
Resources

Need further information or materials?

- [www.lafsbc.org](http://www.lafsbc.org) (Legal Aid of Santa Barbara County local family preparedness forms)
- Steptoe & Johnson, LLP, What if I’m picked up by Immigration and Customs Enforcement in the District of Columbia; available at [www.lawhelp.org](http://www.lawhelp.org).
- [www.ilrc.org](http://www.ilrc.org), The Immigrant Legal Resource Center offers generalized family preparation forms, updated information on immigrant enforcement and changes to the law in easy to understand single page data sheets in English and Spanish, and more in-depth resources for legal service providers.
- [https://www.nilah.org/](https://www.nilah.org/). Nebraska Immigration Legal Assistance Hotline, Collaboration of Nebraska nonprofit immigration legal service organizations to provide centralized intake, referrals and resources to Nebraska immigrant families
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Brief Description:
This session will discuss workshops for families facing deportation. Through community sponsored and organized events, community volunteers meet with individual families to prepare emergency forms needed in case of deportation. This session illustrates the benefits of one-on-one family preparation planning, how to launch a program, how to prepare the materials, and how to train community volunteers.

Program Goals (what you will learn):

1. The benefits of providing one-on-one family preparation for deportation sessions.

2. How to launch a family preparation program.

3. What materials are needed and how to prepare them.

4. How to train community volunteers.

5. How to maximize participation of families and community volunteers.

Topical Outline:

I. What is one-on-one family preparation planning?
   a. Immigrant families concerned about detention, removal, and/or deportation meet with a trained community volunteer and interpreter to work through the paperwork and planning process together.
   b. The process per family takes between ½ hour and 2 hours depending on the family.
II. The benefits of providing one-on-one community-based family preparation sessions.
   a. Family preparation is complicated, “paper” intensive, and can be overwhelming for families who are stressed and often have low literacy levels.
   b. One-on-one family preparation planning can be done singly in a law office, but planning a larger community event in a safe location can make some families more willing to participate.
   c. A community event allows for more resources such as immigration and legal aid attorneys to be present to answer questions on other matters.
   d. A community event also provides an opportunity for immigrant families and other community members to meet in person. Often, the presence of non-immigrant community members willing to help gives hope to immigrant families and often non-immigrant community members meet undocumented immigrant families for the first time. The process itself strengthens the community.

III. Launching a program.
   a. Launching a program requires gathering or creating forms and processes, finding a space, finding volunteers, and finding people to help.
   b. For a legal organization, it is better to control the forms, processes, and quality but find a community partner who can find a space, gather volunteers, and advertise.
   c. Examples:
      i. LAFSBC is a small, 16-person organization dispersed throughout Santa Barbara County, California. We have partnered with an immigrant organizing organization, a church, several schools, and a political action organization. Each of these entities had access to a facility, access to a large number of community volunteers, and/or access and trust of the immigrant community.
      ii. ILC is a metro Omaha, Nebraska-based organization, operating throughout Nebraska and southwest Iowa. We have partnered with organizing and advocacy organizations, churches, schools, and other legal service nonprofits. Each of these entities had access and trust of community leaders, volunteers and/or immigrant community members.

IV. Materials and Materials Preparation
   a. The basic required forms can typically be found online, but should be modified for your jurisdiction and your population.
      i. ILC developed a rights and planning guide that is specific to Nebraska. The guide is to be used at one-on-one family preparation events; however, it was developed to be unassuming looking and has been made available online and many public places where immigrant community members will feel free to access.
   b. Child care forms are an example of legal documents needed in safety planning. LAFSBC developed three child care forms, each that serve a different purpose.
      i. Child Authorization of Care forms (intended as immediate and temporary custody only—long term custody would likely require more formal process.
1. Appointment of Guardian by the parent/current guardian.
   a. Understood by courts and used in other instances such as temporary disability/absence of the parent.
2. Caregiver’s Authorization Affidavit for qualified relative
   a. Understood by the schools and child protective services
   b. Parental presence not needed
3. Affidavit of Guardian Regarding Absence of Parent/Guardian of Minor Child(ren)
   a. Understood by the schools and child protective services.
   b. Parental presence not needed.
   c. Used when guardian is not a qualified relative.

ii. Child Contact Form
   1. Intended to relay to caregiver important information on child.
   2. Worksheet for parent to prepare to consider needs of child in case of deportation.

c. Adult Emergency Contact Form: Intended to facilitate communication between separated family members if one is deported.

f. Review:
   i. All forms bilingual to build trust with parent and ensure no misunderstanding.
   ii. All forms read out loud to parents who may be illiterate.
   iii. Have a notary available at the event.

V. Finding and Training Community Volunteers
   a. Advocates
      i. Mature professionals (lawyers, paralegals, bankers, social workers, or similar types) experienced with legal forms and/or working with people in crisis who have the gravitas to be quickly trusted by a family.
      ii. Bilingual/bicultural preferred.
   b. Interpreters
      i. Can be college students or young adults from the immigrant community to work side by side with the advocate.
      ii. Should also be trained with the forms.
   c. Other Volunteers
      i. Childcare
ii. Food donation
iii. Bilingual greeter.
iv. Legal professionals to assist advocates as necessary.
   1. Legal Aid lawyers
   2. Immigration lawyers

d. Training Volunteers
   i. Go through the forms because they are intimidating
   ii. Train about 1 week ahead of event.
   iii. Expect advocates to have doubts about their ability to handle the forms.
   iv. Emphasize that immigrant families are resilient. They likely already have a plan. The advocate’s job is not to suggest a plan, but to facilitate the plan a family already has.
   v. The forms are designed to elicit planning needs that families may not have anticipated.
   vi. Emphasize the need to respect immigrant family relationships and parental authority.
      1. Treat adults in a formal manner.
      2. Speak to the adults directly and allow the interpreters to interpret.
      3. Encourage adults to allow children to stay in childcare.
      4. Do not encourage teens to interpret for parents.
      5. Recognize that adults may not admit being illiterate or semi-literate. Do not assume that they can read in their native language until they show they can.
   vii. Recognize that your advocates may not have ever heard the story of an immigrant family. Your job is to be supportive of their emotional needs.
   viii. Recognize that your advocates may have strong political views. Try to create an atmosphere of positive shared community and not political heat. This will allow families to focus on their own individual needs and not on the needs of the larger community.

VI. Maximizing participation by Families
   a. Choose a “safe” location such as a school, a church attended by immigrants, or a community center.
   b. Advertise on the radio and promote in person.
   c. Use the resources already in place (and trusted) in the immigrant community to promote the event.
Bibliography & Website Links:

1. www.lafsbc.org (Legal Aid of Santa Barbara County local family preparedness forms)


3. www.ilrc.org, The Immigrant Legal Resource Center offers generalized family preparation forms, updated information on immigrant enforcement and changes to the law in easy to understand single page data sheets in English and Spanish, and more in-depth resources for legal service providers.


5. https://www.nilah.org/. Nebraska Immigration Legal Assistance Hotline, Collaboration of Nebraska nonprofit immigration legal service organizations to provide centralized intake, referrals and resources to Nebraska immigrant families.

Please submit outlines no later than April 6, 2018 to ejcmaterials@nlada.org.