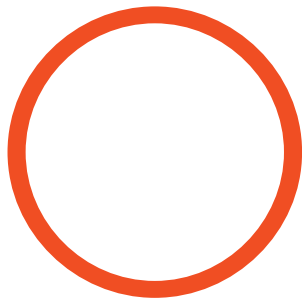


# IMMIGRATION COLLABORATIVE ESTABLISHED TO ADDRESS LEGAL NEEDS OF VULNERABLE POPULATION



Carole Conn



ver the last several years, unprecedented numbers of unaccompanied children and families from Central America and Mexico have entered the United States, fleeing horrendous violence and life-threatening

circumstances in their home countries. Their arrival has garnered much media attention, prompted responses from the highest levels of government, and led to the mobilization of nonprofit and pro bono legal advocates statewide to address the legal representation needed for this vulnerable population.

In the spring of 2014, the U.S. Department of Justice, in an attempt to discourage future migrants from making the journey north, issued a directive that immigration judges prioritize the deportation proceedings of these recent arrivals, leading to the creation of “expedited” or “surge dockets” in immigration courts nationwide, including in San Francisco where the court’s jurisdiction stretches as far south and east as Bakersfield, and as far north as the Oregon border. By August 2014, the Lawyer Referral and Information Service (LRIS) was called upon by the immigration court to find additional volunteer attorneys

to serve in its Attorney of the Day (AOD) Program, a twenty-five-year-old project with the court in which LRIS staff calendars experienced immigration attorneys to appear at initial immigration hearings to advise and aid the scores of unrepresented respondents in court. While three judges were assigned to hear the surge dockets at the time of their creation, a total of eleven judges now share the volume of cases.



## SFILDC

LEARN MORE AT [WWW.SFILDC.ORG](http://WWW.SFILDC.ORG)

In response to the spectacle of children and families fighting their legal battle without the benefit of a lawyer, in a courtroom with laws and procedures more complex than the tax code and in a language they don’t understand, the City and County of San Francisco led the Bay Area by awarding funding for legal representation for these respondents. In January 2015, the San Francisco Immigrant Legal Defense Collaborative (SFILDC) was formed to coordinate this representation.



SFILDC is a unique collaboration of thirteen partners that includes immigration legal experts and community-based legal organizations; law schools; technical support assistance organizations; policy and research institutions; LRIS; and private-sector attorneys and law firms conducting pro bono representation.

Housed at LRIS are SFILDC Legal Director Avantika Shastri and Immigration Surge Case Coordinator Carlos Pinzon-Hamilton. The legal director guides strategy in these cases; the coordinator manages the calendaring of and intake provided by the AODs for the surge dockets. Critical to the intake and referral of San Francisco clients to the SFILDC, the AODs conduct initial case screening and provide legal information to the respondents, with whom Pinzon-Hamilton follows up to glean further information for referral.

Shastri, a senior attorney formerly at Van Der Hout, Brigagliano and Nightingale, holds monthly case roundtables where experts and newer staff attorneys from partner organizations discuss legal cases, address strategies and challenges, and share collective knowledge. Aided by Pinzon-Hamilton, Shastri keeps a bird's eye view of all statistics, trends, case stories, precedent-setting legal issues, advocacy needs, and successes in the collaborative. In October 2015, in an effort to benefit from these systems and structures in place in San Francisco, Santa Clara County provided funding to south bay legal organizations for representation.

Currently more than five hundred recent arrival immigrants are receiving representation between both counties, with a wait list in San Francisco of more than a hundred respondents still hoping for the same.

*Carole Conn is the director of Public Service Programs for The Bar Association of San Francisco. She can be reached at [cconn@sfbar.org](mailto:cconn@sfbar.org).*

Note: On April 27, 2016, San Francisco Mayor Ed Lee announced \$1.8 million in additional funding to allow SFILDC to continue its work until 2018.

## THE ATTORNEY OF THE DAY PROGRAM

More than twenty-five years ago, LRIS started the Attorney of the Day Program at the request of the U.S. immigration court in San Francisco. LRIS qualifies and schedules experienced immigration attorneys to appear on a daily basis on both the custody and noncustody dockets and, more recently, the surge dockets. These attorneys fill a critical need for the immigration court by guiding respondents without attorneys on a limited-scope basis during master calendar hearings. This helps ensure due process for every person appearing in immigration court.

Additionally, the circumstances of indigent respondents not *in custody* are evaluated for a meritorious defense to challenge removal. In the event that such merit exists, LRIS seeks to refer the immigrant for full-scope representation. The work of LRIS and the generosity of the attorneys who volunteer with the program have provided access to justice over these many years for the thousands who have been ordered into removal proceedings.

## LOOKING TO HELP CLIENTS IN IMMIGRATION COURT?

If you are an experienced immigration attorney, we need you as an Attorney of the Day. Please view our application at [www.sfbar.org/aod](http://www.sfbar.org/aod). If you are an attorney who wants to take a case pro bono but needs training and mentoring, please let us know.

For more information on how you can help, contact SFILDC Legal Director Avantika Shastri at 415-782-8926 or [ashastry@sfbar.org](mailto:ashastry@sfbar.org).