

BEST PRACTICES TOOLKIT

Municipal or State Funding for Immigration Legal Services

About This Series

Identifying and spreading best practices requires a learning network for peer-to-peer exchange of ideas. This toolkit series serves as one mechanism for us to share and build on best practices.

About This Toolkit

Numerous New Americans Campaign partners have strong relationships with elected officials who champion naturalization. One way elected officials can support naturalization is to fund immigration legal services to increase their capacity to assist applicants in completing applications. The investment of public funds in immigration legal services is an investment that builds on the social and economic contributions of immigrants.

Why Advocate for Public Funding for Immigration Legal Services?

The demand for low-cost, high-quality immigration legal services exceeds the supply. In 2015, UnidosUS¹ led research on the capacity of the immigration legal services field and found that there is a funding gap for the field to provide effective application assistance services to low-income immigrants who would have been likely to apply for the administrative relief programs proposed by the Obama administration.² This has been confirmed more recently in a 2018 report by the Center for Migration Studies.³ There are three main reasons why cities, counties, and states should be funding immigration legal services.

First, recent changes in immigration policy have intensified the demand for immigration attorneys and accredited representatives who can provide quality legal assistance at a low cost.⁴ As Jeff Chenoweth, Capacity Building Director for the Catholic Legal Immigration Network, Inc. (CLINIC) said, "Over the years many things have changed, but the need to provide low-cost services to immigrants remains constant."⁵ When immigration legal service organizations assist a client, they highlight the difference good legal help can make in the lives of immigrants. For example, an accredited representative or attorney can identify when an immigrant does not meet the eligibility criteria to apply for citizenship and should not apply, thus keeping some who are ineligible out of jeopardy of deportation.

Applications completed by legal service providers are more likely to be filed correctly and completely, thereby increasing the efficiency in processing and adjudicating applications. Access to low-cost, high-quality immigration legal service providers also reduces the risk that immigrants will fall prey to scams or be taken advantage of by unscrupulous actors. Immigration legal services are a critical tool for immigrant integration.

Second, studies are confirming what legal service providers already knew anecdotally: many undocumented immigrants potentially have an immigration remedy available to them if they could get an immigration screening and review of their immigration history. Screening has been used as a way to identify individuals who thought they were undocumented but in fact had likely acquired or derived citizenship and would likely be able to prove that they are U.S. citizens.

Third, legal services are greatly needed to promote citizenship. There are over 9 million permanent residents who are likely eligible to naturalize.⁶ The barriers to applying for U.S. citizenship are many.⁷ One is the cost of applying for naturalization. The application cost is currently \$725 due to a court blocking the Trump administration's 2020 fee increase, and there are additional costs incurred for English and civics classes and legal assistance.⁸ Classes for English and civics are often oversubscribed, with availability insufficient to meet demand, and offered at limited times that may not meet the needs for people who are working full time.

Investing in immigration legal services to assist immigrants in applying for citizenship brings great returns. While removal defense and screening are vitally important, so is assisting individuals in applying for the best form of protection from deportation—U.S. citizenship. Including citizenship application assistance in programs funded by municipal or state dollars is an essential part of a balanced legal services infrastructure.⁹ There are also political benefits to considering funding for naturalization application assistance in areas where supporting citizenship appears less controversial than supporting other forms of immigration legal services. Naturalization provides economic and civic gains for the individual, the local community and state, and the country. An engaged citizenry creates a more informed and vibrant civic culture, and the economic gains to the individual translate to positive effects on the local and national economy.

There are a number of states, cities, and county governments that have put funding for immigration legal services into their budgets. Some localities are funding a universal representation model of immigration legal services, and a toolkit to advocate for publicly funded universal representation can be found [here](#).¹⁰ This toolkit should be viewed as a complement to the Advancing Universal Representation toolkit in settings where a universal representation campaign is not possible at this time. It is focused on making a case for public funding for immigration legal services by making the case generally for the need for immigration legal services and specifically for the benefit of funding immigration legal services to assist eligible permanent residents to apply for U.S. citizenship.

TIPS

Tips for Advocating for Funding for Immigration Legal Services

- ✓ Identify the need in your community. Provide data on the number of people eligible to apply for citizenship who live in your community and the benefits to providing them with immigration legal services. Many resources with data are available on the New Americans Campaign (NAC) website: <http://www.newamericanscampaign.org/policy-makers/naturalization-data/> and <https://www.newamericanscampaign.org/policy-makers/research/>.

- For the numbers of lawful permanent residents eligible to naturalize by state, Congressional district, and public use microdata sample area (PUMA), by probability of naturalizing and other characteristics: <https://dornsife.usc.edu/csii/map-eligible-to-naturalize-state>
- For the numbers and additional characteristics of lawful permanent residents eligible for naturalization by state: <http://data.cmsny.org/state.html> and by public use microdata sample areas (PUMA) areas: <http://data.cmsny.org/puma.html>

- ✓ Pull together a fact sheet to make your case. Include statistics from your area on the need for immigration legal services and stories from service providers.¹¹

You can include the data from the NAC resources listed above. You may also consider including information about the demand for immigration legal services in your area and identify issues such as wait times for appointments or other factors that point to a need for additional capacity. Highlight stories of clients who have been helped by immigration legal service providers. This toolkit includes examples of localities with funding for immigration legal services to help make the case.

- Include data on the impact of naturalization on the local economy. A [study](#) from the USC Equity Research Institute (formerly known as the Center for the Study of Immigrant Integration) at the University of Southern California, found that naturalization increased an individual's earnings by 8-11 percent. That results in more taxes paid and positive ripple effects on the local and national economy.¹²

TIPS

Tips for Advocating for Funding for Immigration Legal Services (continued)

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Identify allies. In addition to legal service providers, consider bringing in allies from a variety of sectors who can advocate alongside your organization. These might include ESL providers, teachers, unions, faith leaders, and businesses.
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Understand your target jurisdiction's budget systems and processes to assess and select options for sources of funding.

 - In general, to establish a permanent fund for immigration legal services, both a legislative authorization and an appropriation may be required.
 - In many jurisdictions, funds can be established through appropriations, although these typically must be renewed annually.
 - In certain cases, resources can be allocated through existing discretionary funds controlled by mayors or city/county council members.
 - In a few cases, city administrators may have flexible grant programs, such as Community Development Block Grants, that can be tapped to support community organizations. Similarly, some school boards or other regional governmental units may have grant programs or discretionary funds.
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Identify a likely champion. It is always useful to have someone who will take a strong interest and feel ownership over the proposed funds. This may include an elected official or a senior staffer like a county or city manager or administrator who can help make the case internally within government and be a public spokesperson.
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Meet with key individual decision-makers to pitch your idea. Decide which elected officials may be most receptive to your proposal and ask them questions about possible funding streams for immigration legal services. The advocacy plan that you lay out will depend on many factors in your particular city, county, and state. Included in this toolkit are tips for meeting with local officials.

RESOURCES

The New Americans Campaign created [The State Government Guide to Promoting U.S. Citizenship and Facilitating Naturalization](#)¹³ that includes five valuable and road-tested recommendations for state governments to make the route to U.S. citizenship clear and accessible. The guide includes a model law created by the Immigrant Legal Resource Center that establishes funding and direction for the promotion of naturalization services, including a state office of new Americans, guidelines for performance measures, contracting provisions, and criteria and options for funding.

Sample Talking Points on Naturalization to Support Municipal Funding for Immigration Legal Services

- Naturalization has positive economic benefits for local communities. Naturalization raises the earning potential of new citizens, and much of the new earnings flow into local economies. Local tax revenues increase, and local assistance programs are relieved. Naturalization initiatives also connect new Americans to other city services and programs, fostering overall integration and creating an atmosphere of welcome and inclusion.
- When immigrants naturalize they make a permanent commitment to the community they live in and more fully participate in democratic life by voting, running for elected office, and serving on juries. This strengthens communities, benefiting everyone: all residents, employers, and local government.
- Cities should make an investment in immigration legal services because naturalization is a complicated and costly process that for many people requires legal assistance. By supporting immigration legal service providers, cities are helping to make sure that eligible permanent residents will go to qualified immigration legal service providers and not fall victim to scams. Nonprofit immigration attorneys provide refugee and immigrant communities with an alternative to seeking legal assistance from unqualified preparers or untrained friends or family members. Investing in immigration legal services will allow community-based organizations to scale up to meet the demand.

Selected Examples of States and Localities Investing in Immigration Legal Services

State level funding

California, Illinois, New York, and Washington have allocated funds for immigration legal services for community-based organizations to assist with citizenship and other immigration applications. This [brief](#) describes state funded citizenship programs in these states.¹⁴

The Illinois General Assembly passed a Fiscal Year 2021 budget that includes an Immigration Legal Services Line Item that includes funding for the New Americans Initiative (NAI), which helps Lawful Permanent Residents apply for naturalization and assists with Deferred Action for Childhood Arrivals (DACA) renewals. This [press release](#) describes the investment.¹⁵

The Washington New Americans Program was created by legislative proviso in 2008 (Laws of 2008, Chapter 329, Section 125(63)) to help lawful permanent residents in the state become naturalized U.S. citizens. For State Fiscal Year (SFY) 2015, the Legislature appropriated \$396,000, increasing the amount of state general funds for the program by 100 percent. The immigrant and refugee advocacy organization OneAmerica worked to have the program fully funded in FY 2019, as described in this legislative session [summary](#).¹⁶

California

“One California Immigrant Integration Services” \$45,000,000 for FY 2020-21. The legal assistance program is run by the California Department of Social Services (CDSS) and was first assembled to help thousands of immigrants apply for naturalization and former President Obama’s deferred action programs. It has now expanded to six areas including services to assist individuals with removal defense. With the additional money, providers will now also be able to help immigrants fighting deportation or removal proceedings. More details are provided on the CDSS [website](#) describing the Immigration Services Funding.¹⁷

California funding for colleges to have immigration legal services on campuses: A total of \$10 million was set aside through Assembly Bill 1809 for the state Department of Social Services to contract with nonprofits that offer immigration legal services.¹⁸

“Funding for the services initially was provided by a one-time allocation of \$7 million from the 2018 Budget Act to the California Department of Social Services (CDSS) to implement direct immigration legal services programs on CSU campuses. California’s 2019-20 budget converted the same amount to recurring funding to maintain the services. Staff from CSU’s Office of the Chancellor have been working with the CDSS to design a systemwide delivery model for implementation.”¹⁹

The examples below pulled from news articles describe a variety of ways that localities have created the funding for immigration legal services and include quotes from local officials explaining why they support funding for immigration legal services.

Dane County, WI: “Dane County is proposing a plan to help immigrants find legal assistance and social services. Executive Joe Parisi says his proposal is designed to help people gain citizenship in a part of the state that relies on immigrants. ‘We need immigrants in this community. We are the fastest-growing, highest job-creating community in this state. And we need workers.’ Parisi would like county board members to amend the 2017 budget to allow the hiring of an immigrant affairs specialist to help people integrate and find community services. He’s also calling on the county to spend \$75,000 to start a private immigration assistance fund that will be overseen by a yet-to-be-determined organization in the community.

“Initially we want to focus on folks who have their green card, trying to get through that path to citizenship,’ Parisi said. ‘We want to be able to give advice to the dreamers, to people who may have been brought to this country with their parents when they were 2 years old who know nothing else other than the United States of America, who are suddenly terrified that they could be deported to a country that they’ve never lived in and may not even speak the same language.’”²⁰

San Antonio, TX: “The City Council approved pulling some \$150,000 from its \$1 million emergency fund to pay for a range of services that include know-your-rights workshops, power of attorney legal clinics, and help on citizenship applications. City Councilmember Rey Saldaña says the emergency funds, which are usually tapped for things like natural disasters, are sorely needed in light of immigration crackdowns at both the state and federal levels.”²¹

City Council Discretionary Funds

Los Angeles, CA: Los Angeles City Council member Curren Price, representing District 9, is committing \$1 million in discretionary funds to work with immigration legal service providers to protect immigrant families. Discretionary funds may be [legally used for any public purpose](#).²²

Santa Clara County, CA: “Through general fund monies, Santa Clara County invests in immigration legal services with local accredited agencies in Santa Clara County to provide free and low-cost assistance with immigration legal issues. These services are designed to help immigrants with immigration issues such as family visa petitions, employment authorizations, removal of conditional status, assisting immigrants to obtain permanent residency under the Violence Against Women Act, helping victims of domestic violence, sexual abuse and human trafficking to obtain work authorization, permanent residency leading to path to citizenship, DACA, deportation defense, unaccompanied minors, etc.”²³

Washington, DC – Immigrant Justice Legal Services Grant Program: “Mayor Bowser announced that her administration is making a total of [\\$2.5 million](#) available through the Fiscal Year 2020 Immigrant Justice Legal Services (IJLS) grant program to community and private organizations that offer legal services and programs to immigrants living in Washington, DC. Since launching the program in 2017, the Mayor has more than doubled the District’s investment in the program.”²⁴

Montgomery County, MD: CASA presented a proposal to the Montgomery County Council requesting funding to provide assistance for eligible permanent residents in paying for the citizenship application fee and for immigration legal services. The county agreed to fund a partial scholarship for applicants and for CASA to conduct eligibility screenings and provide legal assistance.²⁵

Sample Testimony

City or county council members may decide to have a hearing to discuss plans for funding for immigration legal services. Here are examples of testimony provided at hearings advocating for city funding for immigration legal services.

- New York Immigration Coalition
<https://nyassembly.gov/write/upload/publichearing/000860/001393.pdf>
- Empire Justice Center
https://empirejustice.org/resources_post/empire-justice-center-testimony-human-services-joint-legislative-public-hearing-2019-2020-executive-budget-proposal/
- Brooklyn Defender Services
<https://bds.org/testimony-the-new-york-city-council-committee-on-courts-legal-services-preliminary-budget-hearing/>

Primer: How to Meet with Your Elected Official

- **Arrive early and as a group.**
 - Remember that you are not the only people meeting with the legislator and staff that day. Arriving early may give you extra time and always makes you look more professional. Late group members should politely wait outside the office rather than interrupt a meeting in progress.
- **Introduce yourselves.**
 - Briefly introduce yourselves individually and be sure to include your organization's name and where you are from.
- **Keep your presentation simple.**
 - **Create your talking points in advance.** Know your facts and have your information easily at hand. Stay away from using acronyms.
 - **Tell powerful stories.** Stories are one of the most effective ways to leave a lasting impact on legislators and congressional staff. A powerful story creates an emotional connection to an issue and links it to deeper values and personal experience.
 - **Seek concrete commitments.** Come prepared to ask your legislator to take specific action steps in support of funding immigration legal services (e.g., introduce or cosponsor legislation, add a budget item for immigration legal services, etc.). Seek clear yes or no responses to your asks and be prepared to follow up.
 - **Stay positive.** If a legislator or their staff ask questions you cannot answer that day, feel free to let them know that you could send them that information when you return home.
 - **Listen well.** Let them ask questions. You may find new opportunities to interact with the legislator.

Sample Script for In-Person Introduction to Legislator or Staff Member

Hello Mr./Ms. _____. I'd like to first thank you for taking the time to meet with us today.

My name is _____. Our group seeks your support for funding for immigration legal services. We come from different organizations, but together we represent an important voice in your district.

During our time with you today, we'd like to discuss the reasons why we seek your support for immigration legal services.

END NOTES

1 UnidosUS, previously known as NCLR (National Council of La Raza), is the nation's largest Hispanic civil rights and advocacy organization. Through its unique combination of expert research, advocacy, programs, and an Affiliate Network of nearly 300 community-based organizations across the United States and Puerto Rico, UnidosUS simultaneously challenges the social, economic, and political barriers that affect Latinos at the national and local levels.

2 Kamasaki, Charles, Susan Timmons, Courtney Tudi, "Immigration Reform and Administrative Relief for 2014 and Beyond: A Report on Behalf of the Committee for Immigration Reform Implementation (CIRI), Human Resources Working Group," *Journal on Migration and Human Security* 3 No.3 (2015): 283-305. <http://jmhs.cmsny.org/index.php/jmhs/article/view/53> See also: "No Safe Harbor: The Landscape of Immigration Legal Services in New York finding that "lack of capacity was a significant issue for legal service providers across the State, with nearly half requiring clients to wait 2-6 weeks for an initial appointment." <https://www.nycic.org/2020/02/no-safe-habor-report-2020/>. Other reports on capacity challenges include: Don Kerwin et al. "The DACA Era and the Continuous Legalization Work of the US Immigrant-Serving Community." CMS Report, February 2017 and Rebecca Carson, "Ready or Not? Gauging Midwest Preparations for Executive Action on Immigration." The Chicago Council on Global Affairs, March 2015.

3 Atkinson, Jeanne and Tom Wong. 2018. "The Case for a National Legalization Program without Legislation or Executive Action: Results from Screening for Immigration Legal Options," *Journal on Migration and Human Security* 6 No. 2 (2018): 161-166. <http://journals.sagepub.com/doi/pdf/10.1177/2311502418771915>

4 Pierce, Sarah and Jessica Bolter. 2020. "Dismantling and Reconstructing the U.S. Immigration System," Migration Policy Institute. <https://www.migrationpolicy.org/research/us-immigration-system-changes-trump-presidency>. The publication notes that the Trump administration made more than 400 changes to immigration policy.

5 CLINIC Statement on Recognition and Accreditation Program <https://cliniclegal.org/press-releases/clinic-welcomes-change-immigration-ra-program>. The Catholic Legal Immigration Network, Inc. (CLINIC) has been on the cutting edge of training nonprofit immigration legal service providers to provide affordable, quality legal representation to immigrants since its founding in 1988. Today the network includes more than 380 nonprofit organizations in 47 states.

6 Population Estimates, DHS Office of Immigration Statistics, May 2019. https://www.dhs.gov/sites/default/files/publications/lpr_population_estimates_january_2015.pdf. For more information on the eligible to naturalize, see: <https://www.newamericanscampaign.org/policy-makers/naturalization-data/>

7 For a good discussion of some of the barriers, see Hainmueller, Jens, et al. "A Randomized controlled design reveals barriers to citizenship for low-income immigrants." 2017. <http://www.pnas.org/content/pnas/early/2018/01/09/1714254115.full.pdf>

8 The Trump administration sought to increase the naturalization application fee to \$1,170 and to eliminate the reduced fee and fee waiver for low-income permanent residents who meet eligibility criteria. On September 29, 2020, the U.S. District Court for the Northern District of California temporarily blocked the fee increase from going into effect.

9 The New Americans Campaign has created a guide that outlines the many economic, legislative, and personal benefits of naturalization for aspiring citizens and the communities in which they live, *The State Government Guide to Promoting U.S. Citizenship and Facilitating Naturalization* <https://www.newamericanscampaign.org/wp-content/uploads/2020/11/State-Government-Guide-to-Supporting-Naturalization-November-2020-Digital.pdf>

END NOTES

10 *Advancing Universal Representation: A Toolkit for Advocates, Organizers, Legal Service Providers, and Policymakers* created by The Center for Popular Democracy (CPD), the National Immigration Law Center (NILC), and the Vera Institute of Justice (Vera) can be found here:

<https://www.vera.org/advancing-universal-representation-toolkit>

11 For examples of stories, see the New Americans Campaign story bank, *From New Americans*, at:

<https://www.newamericanscampaign.org/from-new-americans/>

12 https://dornsife.usc.edu/assets/sites/731/docs/Citizen_gain_infographic_web.pdf

13 The URL for the guide is here: <https://www.newamericanscampaign.org/wp-content/uploads/2020/11/State-Government-Guide-to-Supporting-Naturalization-November-2020-Digital.pdf> The URL for the model law is here:

<https://www.newamericanscampaign.org/wp-content/uploads/2020/10/Model-Law-Providing-Funding-for-Naturalization-Services.pdf>

14 <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2016/07/14/the-state-of-the-states-on-naturalization-highlights-from-california-illinois-and-washington>

15...<https://www.icirr.org/News/ICIRR%20Wins%20Historic%20Immigrant%20Service%20and%20COVID%20Relief%20Investments%20in%20State%20Budget,%20But%20the%20Fight%20Continues>

16 <https://weareoneamerica.org/2019/05/02/2019-legislative-session-wrap-up-big-wins-for-immigrant-and-refugee-communities/>

17 <https://www.cdss.ca.gov/inforesources/immigration/immigration-services-funding>

18 <https://www.sandiegouniontribune.com/local/story/2020-01-16/community-colleges>

19 <https://www2.calstate.edu/csu-system/news/Pages/California-State-University-to-Roll-Out-Delivery-of-Immigration-Legal-Services-for-Students-and-Employees.aspx>

20 <https://www.wpr.org/dane-county-exec-calls-immigrant-assistance-fund>

21 <https://www.sacurrent.com/the-daily/archives/2017/05/11/san-antonio-will-fund-education-and-legal-services-for-immigrants>

22 <https://www.dailynews.com/2017/02/24/la-councilman-pledges-1-million-in-grants-for-immigrants-legal-services/>

23 <https://www.sccgov.org/sites/oir/Pages/immigration-legal-services.aspx>

24 <https://dc.gov/sites/default/files/dc/sites/DC/publication/attachments/ILJS-one-pager-combined.pdf>

25 <https://www.newamericanscampaign.org/citizenship-grants-local-governments-investing-in-residents-who-are-pursuing-their-dreams/>



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This toolkit was developed by UnidosUS, a national New Americans Campaign partner.

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About the New Americans Campaign

The New Americans Campaign (NAC) is a non-partisan national campaign aimed at increasing the number of new Americans by ensuring access to the naturalization process and trusted legal assistance. The NAC is a network of respected immigration organizations, legal services providers, faith-based organizations, immigrant rights groups, foundations, and community leaders who are modernizing and streamlining access to naturalization services, so that greater numbers of legally qualified permanent residents take the critical step of becoming American citizens. Thanks to the New Americans Campaign members who provided input for this toolkit: Breandán G. Magee, Illinois Coalition for Immigrant and Refugee Rights; and Rosana Donoso Barredo, OneAmerica.

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