

# **IMMIGRATION LEGAL SERVICES**

## **PROGRAM POLICIES AND PROCEDURES MANUAL**

# Immigration Legal Services Program Policies and Procedures Manual

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# **SECTION I:**

## **Program Operations**

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## A. **AGENCY MISSION STATEMENT**

### **OUR MISSION**

To strengthen the lives of those in need by giving help that empowers, and hope that lasts.

### **OUR VISION**

The agency will be accessible to those in need by creating comprehensive, integrated and culturally competent services. We will be leaders of best practices. We will be recognized as an advocate for social justice. Our staff and volunteers will experience an environment where they can grow, contribute their best, and value their investment in our mission.

### **OUR CORE VALUES**

- ❖ We believe in the message of Jesus that brings love, hope and redemption.
- ❖ We affirm the sacredness and dignity of all human life.
- ❖ We cherish the racial and cultural diversity of our staff and those we serve.
- ❖ We expect uncompromising integrity in all we do.
- ❖ We pursue excellence.
- ❖ We pledge service to those in need regardless of background, belief or circumstance.

### **OUR WORK**

The agency assists individuals and families in need, especially those who are most vulnerable. We believe in helping people develop the skills and strength to move from crisis and isolation, to stability and growth. We focus on prevention when possible, intervention when needed, and advocacy when resources or opportunities are either inadequate or unfair. We are guided in this work by the richness of Catholic social teaching.

We are strengthened through partnerships with other providers, government agencies, foundations, businesses, individuals, schools, and churches, especially our Catholic parishes. We collaborate with these resources and other community assets to offer programs that are effective and fiscally sound.

## **B. SUMMARY OF PROGRAM AND SERVICE PHILOSOPHY**

Our mission: Immigration Legal Services empowers, protects, and unites individuals and families through legal representation and education.

Immigration Legal Services was established in 1986 to provide professional immigration legal services to low-income foreign-born individuals and their families needing assistance with matters before the U.S. Citizenship and Immigration Services, the Executive Office for Immigration Review, the Department of Labor, and the Department of State

Such assistance often means the difference between life and death for those fleeing persecution, it reunites families separated by many years and thousands of miles; it secures permission to work in the United States for eligible individuals, enabling them to support themselves and their families; it allows individuals to seek help from the police, doctors, and school officials without fear of removal; and it provides a reliable source of legal information, advice, and representation from a highly trained and experienced professional staff.

In addition to providing direct legal services, ILS also conducts workshops and educational seminars throughout the community. Staff also conducts legal trainings for attorneys, paralegals, and others who serve the foreign-born community.

Further, ILS operates a pro bono panel of attorneys. We seek, train, and mentor these attorneys and they take cases on our behalf.

- a) The Immigration Legal Services Organizational Chart shows the current structure of the program and staff.

See attachment B(a) for ILS Organizational Chart.

### **C. SERVICES PROVIDED AND LOCATIONS**

Immigration Legal Services provides direct legal immigration services, including the following:

1. Naturalization (citizenship)
2. Asylum
3. Employment-based petitions/applications
4. Family-based petitions/applications
5. Adjustment of status (green card) applications
6. Relief from removal (formerly deportation)
7. Self-petitions for battered spouses and children
8. Religious visas
9. Applications for Temporary Protected Status
10. U Visas for victims of crimes
11. T Visas for victims of trafficking
12. Referrals as appropriate

In addition to the legal services we provide directly to our clients, ILS has a pro bono panel of attorneys who take cases on our behalf.

Immigration Legal Services also assists the community in understanding immigration laws and practices. The program conducts seminars and talks in the community to educate the public on immigration law matters. Linguistically and culturally appropriate outreach insures that foreign-born individuals and their families learn about our seminars and office locations and hours. The program also trains volunteer attorneys and law students in immigration law.

Services are provided at the following four locations: XXXX

### **D. DESCRIPTION OF PERSONS SERVED AND ELIGIBILITY CRITERIA**

Immigration Legal Services serves foreign-born individuals and their families, most of whom reside in XXX.

**E. PROGRAM RULES AND SERVICE RECIPIENT EXPECTATIONS**

See attachment E(a) for Confidentiality and Conflict of Interest Policy and Procedure.

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## **F. SCREENING AND INTAKE**

In order to meet with an Immigration Legal Services attorney or paralegal, the individual seeking assistance may walk in to one of our four offices at specified days and times (see Part C Services Provided and Locations). Walk-in hours are available Tuesdays, Wednesdays, and Thursdays. Unless a specific issue arises, such as a language or legal issue better addressed by a particular staff member, clients are seen on a first come, first served basis.

During the initial appointment, the client will complete an intake form with demographic data. If a client needs assistance in a foreign language that one or more of our staff members speak, the client will meet with a staff member who can provide a consultation in the client's language. The caseworker informs the client of his/her rights as well as responsibilities toward the agency, including the right to confidentiality. The program will work cooperatively with USCIS in the client's best interest, but will safeguard the interests of its clients, particularly undocumented individuals. The services offered by the program include: determining the immigration options available to the client; preparing the forms to file for obtaining the immigration benefit; alerting the client of the need for accurate information; and appropriate follow-up.

- i) See attachment F(a) for Service Recipient Rights and Responsibilities Policy and Procedure.
- ii) See attachment F(b) for Service Recipient Grievance Policy and Procedure.
- iii) See attachments F(c) for Retainer Agreements in English
- iv) See attachments F(d) for Retainer Agreements in Spanish
- v) See attachments F(e) for Retainer Agreements in French.

## **G. ASSESSMENT PROCESS AND PROCEDURES**

The case will be closed at the end of the consultation unless the client wishes to pursue his/her case and the caseworker is able to proceed. The client will be informed of this.

- i) The main purpose of the consultation is to evaluate the nature of the client's immigration case and to determine if the case falls within the scope of the immigration services offered by the program. During this time, the attorney or paralegal assesses the merits of each client's case under current immigration law, including potential risks and benefits, and advises the client of these. The client will be the primary source of information about her needs for service. The caseworker will answer any questions that the client may have regarding his/her case. The caseworker advises the client of her rights under the law and presents alternatives, with the wishes and interests of the client in mind. The caseworker respects the right of the client to pursue her own solution.
- ii) The client will be informed that the outcome and timing of the case depends upon the discretion of the USCIS, EOIR, DOS or DOL. The caseworker will use her professional judgment and experience to estimate the likelihood of success for the client and how long the case is expected to take.
- iii) The client is also informed of the cost of the services to be provided and the availability of fee waivers and reductions and payment plans, if appropriate. If the client is unable to pay, the caseworker prepares a Fee Waiver/Reduction Request or a Payment Plan to insure that no client is turned away due to an inability to pay for services.
- iv) If a case is immigration related but would be more appropriately handled by another staff member, the attorney or paralegal who conducted the consultation will arrange for the potential client to meet with the more appropriate staff member. Situations where this arises include when the individual raises an issue in an area where another staff member has expertise, where another staff member has more time for a particularly time-consuming case, or where the language needs of a client will be better served with another caseworker.
- v) Cases that are beyond the program's ability to thoroughly represent are referred to an outside agency or private attorney. If appropriate, clients with additional, non-immigration, needs are referred to other programs within or outside of the agency for assistance.
- vi) All client demographic, financial, and service information is

entered into the Immigration Legal Services computer software program. The Senior Program Manager may run numerous reports from the software, including the number and types of services by office or caseworker, language spoken by clients, and nationality of clients.

- i) See attachment G(a) for Fee Waiver Determination Policy.
- ii) See attachment G(b) for Intake/Assessment Form.

SAMPLE

## **H. SERVICE PLANNING**

- i. If the client chooses to retain the services of the agency, the client is given a retainer agreement to read and sign (see Part E). The retainer agreement will include the services to be performed based on the plan developed by the attorney and the client. The caseworker will answer any questions that the client may have regarding the retainer agreement
- ii. Once an application/petition has been filed, it remains an open case until a decision is rendered on the application/petition. In the case of relative petitions and labor certifications, however, only if the case has a priority date five or fewer years in the future, will the case will remain open until the client has received a final decision on his/her request to immigrate.
- iii. Staff will make every effort to accommodate clients with special needs. This includes attempting to find interpreters, if needed, and to meet clients off site if necessary and reasonably possible.

## **I. DISCHARGE PLANNING**

A case record is kept on every client from intake through closing the case. A closing letter is sent to the client when the case is closed. If the client needs additional information concerning future actions, that information will be put in the letter. In addition, the client will be informed that ILS will keep his/her case for ten years. After closing a case, the client file is kept for ten years.

SAMPLE

# **SECTION II:**

## **Personnel Policies and Procedures**

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## **J. STAFF REQUIREMENTS AND TRAINING**

Employees are encouraged to seek out trainings, but must have supervisory approval before attending any training.

The agency offers and requires a substantial base of training to help staff succeed in their work with our clients. The training begins with the initial day of orientation at the Center and continues with the on-site orientation provided by the immediate supervisor on the second day of employment. Employees are required to complete the required trainings within 90 days of their hire date. The supervisor will work with the employee to prioritize the order of the training based on the job requirements and the pre-existing skills of the employee.

In-service trainings are offered at Immigration Legal Services. Usually, the trainings are scheduled to take place during the monthly staff meeting. In-service topics are selected through staff input and are designed to deliver relevant information.

There are also numerous trainings conducted by local and national organizations each year. Staff members are encouraged to identify other training opportunities and to discuss them with their supervisor. The program has an established fund to pay for approved training.

Examples of trainings attended by staff in the past include: CLINIC Annual Convening, CLINIC issue-specific conferences, AILA Annual Conference, the National Lawyers' Guild training, and in-service trainings concerning such issues as H-1Bs and T visas.

- i) See attachment J(a) for Job Description Format.
- ii) See attachment J(b) for New Hire Learning Plans.
- iii) See attachment J(c) for Day One Orientation Agenda.
- iv) See attachment J(d) for Day Two Employee Program (Site) Orientation Checklist.

## **K. SUPERVISION AND COMMUNICATION WITH STAFF**

Appropriate and timely supervision is a key element of our success at Immigration Legal Services. The supervisor provides critical guidance regarding job expectations and job performance. It is the responsibility of the supervisor to establish the method and frequency of meetings, which best meet the needs of the employee and the tasks that need to be done. At a minimum, supervisors and supervisees will meet at least once a month, either one-to-one or in a group setting.

In addition to any one-to-one supervisory sessions, staff receives feedback about their job duties during the monthly staff meetings. These meetings are an opportunity to review the agency and Immigration Legal Services policies, discuss with colleagues particular immigration issues on client cases, and talk about changes in immigration law. The monthly staff meeting also includes a training component that addresses job related topics.

The annual performance review is another opportunity to receive an evaluation of staff performance and to identify areas of future growth and any particular training needs. Finally, the senior program manager is available and eager to meet with any staff member to discuss any aspect of their work.

Communication at Immigration Legal Services happens through written information, staff meetings, voice mail and e-mail. Staff is expected to check their email and voice mail each day they are in the office. E-mail messages are used to communicate important information within Immigration Legal Services and within the agency.

See attachment K(a) for Performance Evaluation Instructions and Tool.

# **SECTION III:**

## **Risk Management and Prevention Policies and Procedures**

**L. EMERGENCY PROCEDURES**

Immigration Legal Services is committed to insuring the safety of staff and clients in the event of an emergency.

- i) See attachment L(a) for Facilities Fire Safety and Fire Drill Policy and Procedure.
- ii) See attachment L(b) for Facilities Emergency Response Plan Policy and Procedure.

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**M. INCIDENT REPORTING**

Immigration Legal Services is committed to insuring the safety of staff and clients. By reviewing incidents and accidents, we are more able to prevent similar or more serious incidents in the future.

See attachment M(a) for Incident Management Policy and Procedure.

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**N. HEALTH & SAFETY/MEDICATION MANAGEMENT**

Not applicable.

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## **O. LICENSES**

Attorneys are required to be licensed in a state bar and to maintain licensure throughout their employment with Immigration Legal Services.

Immigration Legal Services will seek BIA accreditation for all program paralegals as they develop the knowledge and skills to serve clients independently. Currently, all of our paralegals are BIA-accredited representatives.

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# **SECTION IV:**

## **Performance and Quality Improvement Policies and Procedures**

## **P. PROGRAM OUTCOMES**

i. Immigration Legal Services tracks the following measurable outcomes:

1. Immigrant became a citizen
2. Individual received asylum
3. Individual received lawful permanent residence

ii. Immigration Legal Services uses a database which allows program staff to see how many individuals in a given year have been granted citizenship, asylum, or adjustment of status.

**Q. PROGRAM EVALUATION**

Upon closing a case, the caseworker sends the client a satisfaction survey to assess whether the client was satisfied with the services provided.

- i) See attachment Q(a) for Satisfaction survey format in English.
- ii) See attachment Q(b) for Satisfaction Survey format in Spanish.

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## **R. QUALITY IMPROVEMENT**

- i) See attachment R(a) for Continuous Quality Improvement Policy and Procedure.
- ii) See attachment R(b) for Individual Service Review Policy and Procedure.
- iii) See attachment R(c) for Individual Service Checklist.
- iv) See attachment R(d) for ILS Closed Cases Checklist.

SAMPLE

## **S. SERVICE RECORDS**

- i) See attachment S(a) for Service Records Policy and Procedure.
- ii) See attachment S(b) for Service Recipient Access to Record Policy and Procedure.

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**SECTION V:**  
**Appendices**

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