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**Program Management Strategies
for Removal Defense Practice**

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Meet the Presenters

Speakers
- Shaila Rahman, FSC (CLINIC)
- Ambar Tovar, Directing Attorney (UFWF)

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Objectives

- Help organizations prepare to provide future or improve current removal defense services

- Introduce basic principles of program management for removal defense

- Share best practice tips

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Agenda

Morning Session

- Overview of day, intros, opening activity
- Removal defense vs. affirmative practice
- Immigration court protocols and etiquette
- Recommended infrastructure and logistics
- Morning session's open forum and Q&A

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Agenda

Afternoon Session

- Self-care strategies
- Caseload balance issues
- Case selection best practices
- Working with clients in detention (introduction)
- Resources, open forum/Q&A, closing activity

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Meet Each Other

Management challenge activity

- Your name and your role
- Your organization's name
- Your organization's location
- Size of your immigration program
- What's you management challenge?

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Removal Defense vs. Affirmative Practice

What makes removal defense different from the affirmative practice of immigration law?

- Adversarial nature of the proceedings
- More time-consuming/more preparation
- Emotional toll on staff (i.e. vicarious trauma)
- High stakes of proceedings / tolerance for risk

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Removal Defense vs. Affirmative Practice

How do you prepare for your first experiences in immigration court? (court etiquette/procedures)

- Observe and shadow
- Practice tips from the field
- Immigration Court Practice Manual
- Substantive removal defense trainings

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Questions?

The More I Think
The More Confused I Get

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Short Break

It's Time For A Break

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Recommended Infrastructure/Logistics

What kind of infrastructure is recommended to provide removal defense services?

- Space, equipment, and tools
- Case management forms
- Policies and procedures

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Recommended Infrastructure/Logistics

What space, equipment, and tools are recommended for removal defense practice?

- Office supplies especially printer/copier/scanner
- Adequate space for client and staff meetings
- Cloud-based case management system
- Inviting waiting room and toys for kids

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Recommended Infrastructure/Logistics

What kinds of policies and procedures are recommended for removal defense practice?

- Timely filing cases
- Client communications
- Travel and mileage reimbursement
- Case file opening and case file closing
- Case file maintenance, storage, and retention

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Recommended Infrastructure/Logistics

What types of case management forms are recommended for removal defense practice?

- Checklists
- Intake/screening
- Country conditions
- Brief and cover letter bank
- Case closing letters (various forms of relief)

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Scope of Representation

Why is scope of representation important?

- Potential legal and ethical issues
- Withdrawal or substitution of counsel
- See EOIR Immigration Court Practice Manual sections on scope of representation: https://www.justice.gov/eoir/page/file/1284746/download

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Scope of Representation

Limited Representation Options

- Appearing in court on "on behalf of"
- Bond redetermination hearings
- See EOIR Immigration Court Practice Manual sections on appearing "on behalf of" and bond redetermination hearings (bond proceedings): https://www.justice.gov/eoir/page/file/1284746/download

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Service Delivery Models

What service delivery model might you use to provide removal defense services and why?

- One-on-one representation with E-28
- Pro se assistance workshop
- Anything else?

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Open Forum Q&A

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Break Time ☺

It's Time For A Break

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Agenda

Afternoon Session

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Self-Care

Why is self-care important?

- Mental health
- Helps retain staff
- Increases staff productivity
- Increases ability to empathize
- Decreases likelihood of burnout/turnover

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Caseload Balance and Composition

How do you make decisions about caseload balance and composition?

- Thoughtful case selection criteria
- Assess level of difficulty of cases
- Realistic caseloads for all staff
- Staff and client satisfaction

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Caseload Balance and Composition

Case Selection Best Practices – How to select cases?

- Level of difficulty of cases
- Court and organization calendars
- In-house expertise and capacity
- Referring cases to other organizations

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Caseload Balance and Composition

How do you assess the level of difficulty of a case?
What do you think?

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Caseload Balance and Composition

How do you assess the level of difficulty of a case?

- Type of case
- Criminal history
- Immigration history
- Client's ability to cooperate
- Family and friend involvement
- Urgency of case and agency calendar

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Questions?

Oh what to to, what to dooo?

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Break Time ☺

It's Time For A Break

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Working with Clients in Detention

How is working with clients in detention different from working with released clients?

• Expense
• Timing of cases
• Family/client situation
• Complications in cases

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Working with Clients in Detention

What to expect when visiting clients or going to court on behalf of detained clients?

• Wait times
• Access issues
• Potential lockdowns
• Lack of predictability
• Mileage reimbursements for staff

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Working with Clients in Detention

What to bring for client visits or court hearings?

- Case file with all relevant documentation
- Documents related to representation and access to the facility
- Things to work on or read while waiting
- Food and water in case your visit ends up being longer than expected

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Resources

- Managing an Immigration Program Manual: https://cliniclegal.org/resources/guides-reports-publications/managing-immigration-program-steps-creating-and-increasing
- Case Management Toolkit: https://cliniclegal.org/clinic_toolkit/694
- OCIJ Practice Manual (Immigration Court Manual): https://www.justice.gov/eoir/eoir-policy-manual/part-ii-ocij-practice-manual
- ICE Detention Standards: https://www.ice.gov/factsheets/facilities-pbnds

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Open Forum Q&A

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Completing the Circle

Management challenge activity

- How will you tackle your management challenge when you return to work?

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