



# ILRC 2010 ANNUAL REPORT



TEACHING, INTERPRETING AND CHANGING LAW SINCE 1979

The ILRC's work focuses on the following three program areas:

- ◆ Capacity building for immigration law practitioners and community-based organizations, which includes providing technical assistance, trainings, and publications;
- ◆ Policy and advocacy focused on immigration law reform and Department of Homeland Security policies; and
- ◆ Civic engagement with immigrants to help them mobilize and raise their voices on issues of concern to their communities.

We are pleased to share some of our accomplishments in 2010 below.

## CAPACITY BUILDING

### Attorney of the Day

In 2010 our on-call Attorney of the Day provided expert analysis and responses to over 4,000 questions from hundreds of different attorneys, *pro bono* counsel, paralegals, nonprofit staff, community organizers, policymakers, social service workers, teachers, and other service providers working across the United States.

### Publications

ILRC has been one of the leading immigration law publishers since the late 1980's. Our publications are written for attorneys, immigration professionals, service providers, and other advocates practicing immigration law throughout the United States. Our catalogue of publications includes comprehensive volumes on a full range of issues, remedies, and relief within immigration practice. Written by ILRC staff attorneys and prominent guest authors, our library provides expert references, tips, curricula, and guides for winning cases and navigating an increasingly complex legal environment. We updated 7 of our hallmark publications in 2010. By year-end, we distributed over 2,000 manuals nationwide. The earned revenue generated by publication sales is an important source of support that is reinvested into the ILRC's mission and programs.

### Seminars and Trainings

Our seminar offerings continue to educate legal and lay advocates on critical topics such as citizenship, immigration options for victims of domestic violence, "Know Your Rights," the visa process, and

immigration law reform. In 2010 we held 210 seminars, trainings, and community meetings in many different locations throughout the United States. Over 9,300 attorneys, paralegals, community organizers, social workers, English as a second language and citizenship teachers, immigrant leaders, and immigrant community members attended our community meetings and trainings.

### Community Leadership Project

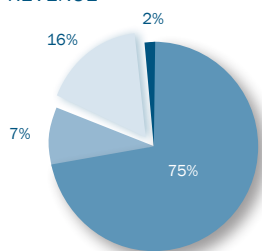
In 2010 we continued our Community Leadership Project, a three-year program begun in 2009 to help minority-led immigrant and grassroots organizations in the San Joaquin Valley build their capacity to deliver high quality services to the region's immigrant populations. The program promotes the growth and sustainability of minority-led organizations in Fresno, Kern, Kings, Madera, San Joaquin, Stanislaus, and Tulare counties resulting in stronger and more robust organizations with more strategic leadership and adaptive capacity. Throughout 2010, we worked closely with seven organizations providing capacity building technical assistance, training, resources, and coaching. In addition to providing our partner organizations with funding for core support and capacity building efforts, we also provided partners with information on capacity building services, trainings, working with funders, and much more. We developed a user-friendly guide on capacity building topics for our partners to explore, including Leadership, Executive Coaching, Fundraising and Development, Financial Management and Planning, Human Resources and Personnel, Board Governance, Technology, and Strategic Thinking and Planning. Each section of the guide contains concepts and practices for growing or evolving organizations, hyperlinks to online resources for digging deeper, further reading, as well as information on training courses. This guide also includes a resource directory with specific contact information for agencies or consultants that assist Central Valley nonprofits in organizational development. This guide is available for download on the ILRC website at [www.ilrc.org/resources](http://www.ilrc.org/resources).

### Defending Immigrants Partnership (DIP)

As part of this national initiative, we provide assistance and support to defense attorneys representing indigent defendants on the immigration consequences of criminal charges and pleas. In 2010 the ILRC:

## 2010 REVENUE & EXPENSE REPORT

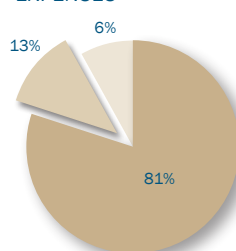
### REVENUE



■ Foundation Grants	\$ 2,749,426	75%
■ Education Program Sales	\$ 572,516	16%
■ Donations	\$ 261,648	7%
■ Miscellaneous Income	\$ 87,040	2%
Total	\$ 3,670,630*	100%

\*\$1.1 million is income received in 2010, but has been allocated to the 2011 budget for restricted program activities in 2011.

### EXPENSES



■ Program	\$2,075,990	81%
■ Administrative	\$ 337,479	13%
■ Fundraising	\$ 159,811	6%
Total	\$2,573,280	100%

- ◆ Helped provide a basis for the U.S. Supreme Court's groundbreaking decision in *Padilla v. Kentucky (Padilla)*, where the Court held that the 6th Amendment to the U.S. Constitution requires criminal defense counsel to provide affirmative and accurate advice about and attempt to defend against adverse immigration consequences of a conviction. DIP's long history of providing training and resources to criminal defense counsel representing immigrants was used by the Court as evidence supporting its conclusion that competent criminal defense practitioners do advise their clients about the immigration consequences of criminal charges and pleas.
- ◆ Authored and edited critical articles on the implications of the *Padilla* decision for criminal defense practitioners across the country.
- ◆ Recruited 86 attorneys representing over 25 California County Public Defender offices and provided intensive full-day training for them, preparing them to be the ongoing immigration "point people" for their offices. They continue to participate on a statewide listserv which has grown to over 110 immigration "point people" in California Public Defender offices.
- ◆ Conducted trainings on the *Padilla* decision to over 800 California defenders, prosecutors, and judges in both urban and rural areas. We worked with district attorneys and criminal court judges encouraging them to adopt constructive policies implementing *Padilla*.
- ◆ Continued to support efforts in other states including Arizona, Oregon, Nevada, and Colorado to educate and train criminal defense practitioners representing immigrant clients on the *Padilla* requirements
- ◆ Helped to write and successfully advocate for a policy statement by the American Bar Association in support of government funding and local bar association involvement to help defender offices to comply with *Padilla*.
- ◆ Supplied technical assistance on complex litigation involving immigration and crimes before the Ninth Circuit Court of Appeals and the Bureau of Immigration Appeals.

### Violence Against Women

Immigrant victims of domestic violence and other crimes are uniquely impacted and particularly vulnerable because immigration status is often exploited by perpetrators to keep these victims from reporting and escaping the abuse. As a national expert on the immigration options available to victims of abuse under the federal Violence Against Women Act (VAWA), including VAWA benefits, the U visa, and the T visa in 2010 the ILRC:

- ◆ Held more than 35 live web-based trainings for *pro bono* attorneys, legal service agencies, judges, community leaders, and domestic violence service providers throughout California and nationally.
- ◆ Updated and published our comprehensive manual on assisting immigrant victims of crime, one of the first books to fully address the U visa.

- ◆ Provided ongoing support and services to the Bay Area VAWA Task Force – a group of legal services providers and advocates against domestic violence that meets regularly to share resources, provide mutual support, and coordinate strategy and services. Additionally, we helped to establish a wiki online community for the Bay Area VAWA Task Force to collaborate, communicate, and coordinate on U visa cases.
- ◆ Developed an online social community called the U Online Forum for legal services attorneys, domestic violence advocates, and *pro bono* attorneys to network, share resources, and collaborate on U nonimmigrant cases.
- ◆ Supplied ongoing technical assistance and advocacy support to attorneys and advocates representing immigrant victims of crime across the country.

### Immigrant Youth

The ILRC provides support for and advocacy on behalf of the most vulnerable members of the immigrant population – children and youth. We seek to address the needs of these children and youth who risk entering dependency foster care, the juvenile justice or deportation systems, or being denied access to higher education. In 2010, our wide-ranging efforts included:

- ◆ Providing technical support, trainings, consultations, and materials to child welfare agencies and social workers addressing the special needs of immigrant children and families entering the system.
- ◆ Collaborating with the Migration and Child Welfare National Network, a coalition focused on national policy initiatives, trainings, technical assistance, creation of policy papers and other publications on the intersection of child welfare and migration, and improving the child welfare system's services to immigrant families.
- ◆ Serving as the national technical assistance provider to Vera Institute of Justice's Unaccompanied Minor Program. Their network comprises the majority of nonprofit legal service providers in the country working with unaccompanied youth in the deportation process. Through our collaboration, we provided substantive legal technical assistance, training, and resources and convened a national secure facilities and group homes working group to address issues facing unaccompanied youth detained in federal secure facilities and group home programs nationwide.
- ◆ Updating and expanding our Special Immigrant Juvenile Status (SIJS) legal manual, now entitled: "*Special Immigrant Juvenile Status and Other Immigration Options for Children and Youth.*" The manual is the most comprehensive in the nation covering all of the immigration legal issues affecting immigrant children and youth. We also provided trainings and technical assistance on changes in Special Immigrant Juvenile Status law.
- ◆ Responding to immigration enforcement trends in the juvenile justice system of California - the state that represents the highest referrals of immigrant youth to immigration authorities for deportation. We convened stakeholders in communities, provided technical assistance and training to juvenile defenders and community groups to build their capacity to address these issues, met with local decision makers to voice concern on these issues,



- and collaborated with public defender offices and legal services organizations to identify, screen, and find representation for youth.
- ◆ Supporting and educating immigration and juvenile justice advocacy and legal organizations throughout the country on the immigration consequences of juvenile delinquency.
- ◆ Collaborating with DREAM Act students, we designed an online system providing legal analysis to students helping them to determine their immigration options.
- ◆ Working closely with the two national DREAM Act organizations, Bay Area immigrant groups, and individual DREAM Act students in an effort to win passage of a DREAM Act bill in the U.S. Congress.
- ◆ Acting as a resource to the national and Bay Area Spanish and English speaking media for information and technical assistance on DREAM Act developments.

### Combatting ICE Enforcement Efforts

The Immigration and Customs Enforcement (ICE) Agency continued its enforcement efforts in 2010 terrorizing immigrant communities across the country, deporting record numbers of immigrants, tearing families apart, and causing fear and distrust of law enforcement. During 2010 the ILRC addressed widespread immigration enforcement issues by:

- ◆ Administering our “Red Card” program which continued to be one of our most successful programs. We distributed over 129,000 “red cards” in 126 cities throughout the United States to inform people about their constitutional rights and conducted nearly 100 community education meetings and trainings for 3,700 community members and service providers to help inform people about how to protect themselves and other immigrants in case of an ICE raid or other encounter with ICE.
- ◆ Engaging in national policy advocacy efforts around the controversial fingerprint program called Secure Communities and other related immigration enforcement programs. We provided a voice in the enforcement-related efforts led by the national NGO-ICE Working Group and played an instrumental role in responding to ICE enforcement directives. We engaged in the national grassroots advocates campaign against Secure Communities entitled, *Uncover the Truth*, by co-hosting teach-ins, co-sponsoring press releases and press conference briefings, providing technical assistance, and developing joint national strategies to combat the Secure Communities program.
- ◆ Engaging in local and state advocacy against immigration enforcement by serving as a resource and/or consultant for local grassroots organizations and networks, working with such groups to develop and implement campaigns on the ground to combat immigration enforcement programs. In California, we helped establish a statewide network to combat the Secure Communities Program, organized a statewide teach-in, created a state toolkit for advocates, and engaged in both political and legal strategies at the state and county levels. Notably, our efforts led to San Francisco and Santa Clara counties being two of the first localities in the nation officially seeking to opt out of the Secure Communities program.

- ◆ Participating in a fact finding research action to interview various stakeholders in Arizona as a result of the passage of the anti-immigrant state enforcement bill SB 1070 and document the effects of SB 1070 and how similar laws can be prevented from being passed in other states, such as California. The action resulted in the creation of a report that was distributed widely. To view this report, please visit: [www.dsj.org](http://www.dsj.org) and look for the Arizona report.

- ◆ Providing education and training to advocates across the country about the legal and technical aspects of ICE’s growing immigration enforcement programs and how they are being implemented. We were part of an effort to provide a two-part national webinar series on ICE Enforcement aimed at grassroots advocates throughout the country with approximately 400 persons attending each webinar. We also provided training to approximately 50 senior national immigration policy advocates in Washington, D.C., whose work focuses on lobbying with Congress and the Administration, and presented at two national immigration conferences to approximately 200 attorneys and advocates.

### Combatting Immigration Provider Fraud

Since the early 1980’s we have remained committed to exposing fraudulent operators who take advantage of the hopes and dreams of undocumented immigrants promising them legal options that do not exist. Our 2010 program activities included:

- ◆ Continuing to distribute our English, Spanish, and Chinese language comic books which educate and warn people about immigration provider fraud. In addition to the versions distributed in the greater Bay Area, we created editions for broader use in California and nationwide.
- ◆ Conducting “Know Your Rights” anti-fraud trainings for immigrant communities.
- ◆ Providing technical assistance to community-based organizations, district attorneys, the California State Attorney General’s Office, and other interested parties on remedies for and prevention of provider fraud.
- ◆ Participating in national efforts to combat fraud, such as efforts by U.S. Citizenship and Immigration Services, the American Immigration Lawyers’ Association, and the American Bar Association to create legislation and/or policies designed to provide remedies to victims and strengthen sanctions against fraudulent non-attorneys.
- ◆ Acting as a clearinghouse and referral service for fraud victims who were brought to our attention.

### POLICY and ADVOCACY

#### Legislative Analysis and Advocacy

We advocate for immigration policy reform to strengthen immigrant



## CIVIC ENGAGEMENT

families, respect the due process and civil rights of newcomers, and foster healthy communities for all citizens. With our expertise in immigration law and strong partnerships with immigrant leaders and grassroots service providers, we assert an informed and powerful voice to educate the media as well as local and federal policymakers. Our 2010 advocacy platform focused primarily on comprehensive immigration reform, the DREAM Act, due process issues, and the intersection of immigration and criminal justice law. At the request of two key Congressional representatives, we provided technical assistance on sections of the legalization component to be used in one of the comprehensive immigration reform proposals. Our experience during the drafting and implementation of the 1986 legalization program has deeply informed our work with advocacy partners and policymakers.

### **CIS Liaison Project**

We have been running our CBO-CIS Liaison Project in San Francisco for 18 years. The aim of the project is to improve immigration practice and policy on the local and administrative levels by facilitating communication between Bay Area community-based organizations (CBOs) who represent immigrants and the Citizenship and Immigration Service (CIS) – the administrative body that adjudicates applications for immigration relief such as green cards, naturalization, and citizenship. Representatives from dozens of CBOs participate in this project. In 2010, we worked on a variety of important issues including the following:

- ◆ Encouraging the CIS to improve the way they adjudicate naturalization applications submitted by people who have disabilities that prevent them from passing the English test.
- ◆ Working with the CIS' Fraud Detection Unit to educate the immigrant community about how to avoid being ripped off by unscrupulous immigration attorneys and immigration consultants.
- ◆ Improving communication between CBOs and the CIS. We have spent years working with the CIS to establish an intricate case inquiry system that has proven quite efficient and effective. This system is constantly being updated and improved as part of each liaison meeting agenda.

## CIVIC ENGAGEMENT

### **Immigrant Action Project**

2010 marked the tenth year of our Immigrant Action Project. Designed to engage directly with immigrants through public forums, we co-hosted more than 50 events with community organizing and immigrant-based grassroots groups. Thousands of immigrants attended these meetings where community leaders discussed how direct involvement is necessary to shape immigration reform. Additionally, our staff attorneys recruited volunteer attorneys from the private sector to provide legal consultations to interested attendees. We facilitated the meetings, developed and distributed policy analysis and information, and generated media coverage. We continue to provide technical assistance to these grassroots organizations on immigration reform.

### **Community Dialoguing**

The ILRC continued to move forward with our very successful Community Dialoguing Project. This project focuses on helping

immigrants and their families build their skills to dialogue directly with their elected and appointed leaders in order to create positive change in their communities. Our Central Valley partner organizations included: the Female Leadership Academy in Tulare County, Union de Ex-braceros e Inmigrantes in both Fresno and Stockton, the Youth Action Commission of Stanislaus County (in partnership with the Central Valley Partnership and the Responsible Civic Action Project of Stanislaus County in Modesto), and the Delhi Parents Committee in Delhi. As part of our work with these groups and their constituents, we conducted over 100 capacity building trainings and strategy sessions at which a total of over 1,000 residents participated. As a result, these groups successfully engaged in 65 dialoguing events with elected and/or appointed officials at which over 4,300 residents attended. Some of the successful campaigns organized by our partners and strengthened by our capacity building efforts included: immigrants and their families dialoguing with school officials about teen pregnancy prevention and comprehensive sex education, and issues of school responsiveness and school safety; dialoguing with the police department and sheriff's office about safety issues and legal regulations for car impoundments; and dialoguing about public safety and youth issues with candidates for elected city positions. One specific victory in Delhi, California, a small farm worker town in the Central Valley, was when the Delhi Parents Committee (DPC), with the ILRC's support, convinced the Delhi School District to agree to provide Spanish translation services for parents and create a flyer in English and Spanish explaining how the parents can access the translation services. The parent members of the DPC had the opportunity to edit the informational flyers and make suggestions to the school district about how to make the translation services most accessible to the parent community, 89% of whom are Latinos and many of whom are monolingual Spanish speakers.

### **2010 Census**

In 2010 the ILRC partnered with the U.S. Census Bureau in a campaign focused on reaching out to the hard to count immigrant populations in the Bay Area and Central Valley. Our message stressed the importance of being counted and to reassure immigrants, regardless of their status, that participating in the Census is confidential and information will not be shared with ICE. From November 2009 through July 2010, we worked directly with immigrant community leaders and advocates conducting outreach at churches, schools, parks, Bay Area Rapid Transit (BART) stations, soccer games, swap meets, and many other public venues and events. We conducted 14 trainings to service providers, college groups, and immigrant advocacy groups with a total of 375 participants. We also conducted 42 community outreach meetings reaching over 2,600 people. Working with local and regional media outlets, including Spanish speaking media, ILRC attorneys produced public service announcements (PSA's) and appeared in television interviews about the importance of being counted and the confidentiality of census information. ILRC staff attorneys were featured in 10 separate live radio interviews, including question and answer segments, throughout the greater Bay Area and Central Valley. ILRC staff attorneys were featured in 20 separate television appearances including PSA's, taped interviews and live appearances on both Spanish and English speaking stations in the greater Bay Area. ◆