

GRANT PROPOSAL

EXPANDING CRITICAL IMMIGRATION LEGAL SERVICES IN DAVIDSON COUNTY



TENNESSEE  
**Immigrant  
& Refugee  
Rights**  
COALITION



Tennessee Immigrant & Refugee Rights Coalition (TIRRC) and Tennessee Justice for Our  
Neighbors (TNJFON)  
April 8, 2022

## **SECTION 1 – SUMMARY**

1. Project Title: Expanding Critical Immigration Legal Services in Davidson County

2. Organizations:

Tennessee Immigrant & Refugee Rights Coalition  
3310 Ezell Rd  
Nashville, TN 37211

3. Contact:

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4. Funding Requested: \$3,534,836

5. Project Period:

July 1, 2022 - June 30, 2025

## **SECTION 2 – NARRATIVE**

### **A. PROJECT SUMMARY**

#### **1. Context**

Davidson County is home to a diverse and vibrant immigrant population - nearly 13% of Nashville residents are foreign born<sup>1</sup> and more than 140 languages are spoken in Metro Public Schools.<sup>2</sup> While the immigrant community has grown rapidly over the past two decades, nonprofit infrastructure has not kept pace. As a result, there are not sufficient high-quality, low-cost legal services available to meet the needs of this highly vulnerable community. Many potential clients face difficulties in accessing the legal resources that are available due to barriers such as language, fear or intimidation, or simply a lack of knowledge of where and how to find help. Many of these individuals are long-time Nashville residents who are entitled to immigration relief under the law.

In the last year, we have seen an influx of Haitian and Afghan arrivals in Nashville needing assistance seeking asylum. And, in the months ahead, the President has committed to welcome 100,000 refugees from Ukraine, of whom a large number may settle in our area, as well as having made Temporary Protected Status available for other Ukrainians who are already here. Also, in a pending court case in Texas, a judge is expected to rule on Deferred Action for Childhood Arrivals (DACA), a program that provides temporary protections and work permits for about 2,200 young adults in Davidson County. Our national level partners have informed us to expect the program to be terminated, which means we would need to quickly pivot to assisting DACA recipients with renewals to guarantee their protections for two final years. Lastly, the presidential administration has removed the controversial Title 42, which means we could see an influx of asylum seekers arriving through our Southern border. These trends underscore the growing need for an expanded, stable immigration legal services infrastructure in Nashville.

As an example of the critical need for more robust legal services, the influx of more than 537 Afghan evacuees since last fall have added to the demand for legal representation, overwhelming the already stretched capacity of legal services providers. The urgency of the evacuation has meant that most Afghans in the United States are on a temporary immigration status called parole, which gives permission to live and work in the US for only two years. If they intend to remain permanently in the United States, however, they must apply for asylum or some other form of permanent relief. This distinguishes the Afghan arrivals from typical refugees, who arrive in the United States with permanent status or immediate eligibility for permanent status.

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<sup>1</sup> US Census Bureau 2020 ACS 5-year estimate data profile

<sup>2</sup> MNPS Office of English Language Learners

Most Afghans will have to prove that they are eligible for asylum, a lengthy and complicated process. Without the help of an immigration attorney, the chances of success are slim. Furthermore, to ensure that their asylum applications are even considered, they have to be filed within one year of arrival, so they're also fighting against a deadline.

Known as an immigration legal services desert, the metropolitan Nashville area has few immigration practitioners in private practice and even fewer working in non-profit organizations, compared to other cities of comparable size with comparable immigrant populations. There are only six pro-bono organizations that offer limited services for immigration cases in Nashville. According to the American Immigration Lawyers Association, there are only about 15 immigration lawyers in the Nashville area that handle humanitarian cases, and only 57 private attorneys dealing with some aspect of immigration law (though many are committed solely to business-based practices).

Changes in immigration policy in recent years have only intensified the demand for immigration attorneys and accredited representatives<sup>3</sup> who can provide quality legal assistance at a low cost. With substantial relief funds going to state and local governments, now is the time for some of these resources to be invested in immigration legal services. Immigration legal services make it possible for immigrants to obtain temporary or permanent status to which they are entitled, allowing them to live stable and productive lives. Investing in immigration legal services is imperative for equitable access to due process, economic mobility, and shared prosperity.

The U.S. Department of the Treasury encourages governments to spend ARPA dollars to “foster a strong, inclusive, and equitable recovery, especially with long-term benefits for health and economic outcomes.” Leveraging funds made available by the American Rescue Plan Act (ARPA), TIRRC aims to systematically build the capacity of immigration legal services providers in Davidson County in order to meet growing demand and ensure that those fleeing violence and persecution have the assistance and representation they need to safely settle and build a life in our city and keep families together.

Allocating ARPA funding for immigration legal services will aid in economic recovery and stability for immigrant communities by providing vital community education, and by providing legal representation to individuals and families applying for life-changing immigrant benefits.

## **2. Overview**

The Tennessee Immigrant & Refugee Rights Coalition (TIRRC) is a statewide, immigrant and refugee-led collaboration. Our mission is to build power, amplify our voices, and organize

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<sup>3</sup> Federal immigration law allows an individual who is accredited by the Department of Justice and employed by a Department of Justice-recognized organization to represent families before USCIS and other agencies in the Department of Homeland Security.

communities to advocate for our rights. Since our founding in 2003, we have worked to develop immigrant leadership, build the capacity of our immigrant-led member organizations, help immigrant community members understand and engage in the civic process, educate the public about policies that better promote the well-being of new immigrants, and facilitate their full participation in U.S. society. Now in our 19th year, TIRRC has grown from a grassroots network of community leaders into one of the most diverse and effective coalitions of its kind, a model for organizations in the Southeast and throughout the United States. TIRRC was awarded “Nashvillians of the Year” by the [Nashville Scene](#) in 2019, and our work has been featured in the [New Yorker](#), [Rolling Stone Magazine](#), and in partnership with the [City of Nashville](#). In 2021, TIRRC opened the doors to its new home, a community hub in Antioch, the heart of the immigrant and refugee community. In just 3 years, we raised \$2.9 million, closing our capital campaign debt free.

The American Rescue Plan Act (ARPA) provides a unique opportunity to scale the size and effectiveness of immigration legal services in Davidson County to improve the economic mobility of Nashville’s immigrant residents. Following the model of numerous other localities across the country, Davidson County can leverage ARPA funds to assist immigrant residents in obtaining protections from deportations, keeping families whole, and increasing access to work permits and public benefits. Over the last decade, TIRRC and TNJFON have collaborated to serve the immigrant community, each focusing on its mission and strength to provide complimentary services. Over the next three years, TIRRC and TNJFON are requesting \$3,542,809 to build regional capacity for legal services to reach thousands of immigrants and refugees.

In response to a growing need for legal services, we will leverage ARPA funds as follows:

1. Provide essential services to keep families united and increase access to opportunities
2. Scale TIRRC’s staff and program capacity
3. Increase community education through information sessions, interviews, and community presentations
4. Invest in TNJFON’s staff and program capacity

## **B. PROJECT APPROACH & GOALS**

### **1. Provide essential services to keep families united and increase access to opportunities**

Over the past ten years, TIRRC has assisted low-income immigrants with accessing legal services by using a group-processing workshop model: pairing clients with pro-bono attorneys during a multi-client event hosted at a convenient location, followed by making referrals to private attorneys and partner organizations for follow up. In addition to the group workshops, TIRRC also provides direct support with naturalization, DACA renewals, and other services as needed.

TIRRC reaches an average of 10,000 immigrants each year through our community education and services, and our model of service delivery provides immigrants with the resources and tools needed to overcome barriers. We provide a variety of immigration legal services, which include assistance with naturalization, Deferred Action for Childhood Arrivals (DACA) renewal, Temporary Protected Status (TPS), green card renewals, and asylum, as well as legal screenings that help clients to identify potential protections from deportation for which they may be eligible.

The benefits of receiving assistance of this kind, such as naturalization, are clear. Becoming a United States citizen opens a world of opportunities such as public-sector jobs, eligibility to vote, and the ability to visit one's home 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. A study from the USC Equity Research Institute 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 state economy.

Other forms of relief, such as DACA and TPS, protect immigrants from the threat of deportation and provide the much-needed ability to work and support one's family. For example, there are approximately 2,200 DACA recipients in Davidson County, who if removed from the workforce would result in an annual GDP loss of \$98.8 million annually.<sup>4</sup> Especially in this moment, when Nashville businesses are desperately seeking employees, keeping immigrants and refugees in the workforce is vital not just to individuals and their families but to our city's prosperity as a whole.

We anticipate that the expansion of the TIRRC staff and volunteer team made possible through this funding will lead to an increase in the number of community members we are able to support. We will evaluate this program via the following metrics:

- Launch and support 4-6 immigration legal clinics per year
- Provide support to 2500 individuals via TIRRC's assistance phone line
- Supporting roughly 600 consultations and screenings per year, with legal filings as needed, depending on case details and staffing

## **2. Scale TIRRC's staff and program capacity**

With limited state and region-wide resources, TIRRC's workshops and legal clinics have become a crucial community resource, but in order to effectively meet the growing demand for legal services, more capacity for providing immigration legal services is sorely needed not just among TIRRC staff, but also at partner organizations and private attorneys.

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<sup>4</sup> [USC Dornsife, Interactive Map: Deferred Action for Childhood Arrivals \(DACA\) Populations and their Economic Contributions by U.S. Congressional District, 2017](#)

This funding would allow us to invest in key programmatic staff to scale up our services, as well as hire several new positions: three paralegals, a staff attorney, and a volunteer coordinator. With this personnel in place and under the guidance of our experienced, existing staff members, the volume of work we will be able to undertake will greatly increase.

TIRRC will further increase capacity by developing our volunteer navigator program. Through this program, we will engage committed, long-term volunteers or stipended leaders to assist clients at our workshops and through one-on-one consultations with lower level tasks such as gathering documentation and conducting intake interviews. Over time, these volunteers will receive extensive training including the foundational 40-hour Comprehensive Overview of Immigration Law (“COIL”). Further, volunteers will gain numerous hours of direct work experience needed to qualify to apply for accreditation by the US Department of Justice (“DOJ accreditation”). Once approved, the resulting accreditation allows them to practice immigration law and provide desperately needed legal services. Building up this experience and credentials will effectively increase Davidson County’s collective capacity to meet the needs in our communities.

We will evaluate this program over three years via the following metrics:

- In addition to TIRRC’s current legal staff, increase capacity to support internal program and operations programming. Roles include:
  - Staff Attorney
  - Data and Evaluation Coordinator
  - Outreach Coordinator
  - Volunteer Coordinator
  - 3 Paralegals
- Steward 6-10 volunteers to qualify for, apply for and receive DOJ accreditation after at least 1 year of volunteer support
- Starting in Year 2, train 10-20 volunteers monthly
- Each year, host a 40-hour COIL training for TIRRC staff and volunteers as well as other members of Nashville’s legal services community

### **3. Promote community education and legal services**

The success of the services described above will depend on our ability to reach immigrant and refugee community members to share information about our clinics and the services we provide, as well as provide community education on common legal services matters and preventing arrest, detention, and deportation. Through information sessions with target communities, interviews broadcast by media outlets in Spanish and other languages, flyer distribution at local businesses and community centers, and robust social media campaigns, we will ensure that immigrants and refugees who can benefit from our legal services are aware of and able to access them.

Additionally, this funding will support TIRRC’s “Know Your Rights (KYR)” efforts to ensure immigrants have a good understanding of their civil and human rights, that they are prepared for encounters with law enforcement agencies, and are connected to the high-quality legal services that TIRRC, TNJFON, and other trusted partners provide. These efforts also help to spread awareness of the dangers of legal fraud, and that community members are able to recognize and avoid this risk. To amplify this work, TIRRC staff will train community leaders to provide their own KYR presentations and share this valuable information in their networks.

- Distribute 10,000 flyers to advertise TIRRC and local partner services
- Engage at least three Spanish or other language media outlets for promotion of legal services
- Leveraging TIRRC and local partner social media accounts, reach 100,000 individuals
- Host 30 virtual and in-person Know Your Rights presentations per year
- Reach 10,000 individuals through Know Your Rights training and events.

#### **4. Invest in TNJFON’s staff and program capacity**

Tennessee Justice for Our Neighbors (TNJFON) provides free or low-cost, humanitarian-based immigration legal services to low-income immigrants and their families; educates the community about immigration matters; and advocates for the rights and dignity of immigrants. Since 2009, TNJFON has represented thousands of clients in obtaining work authorization, humanitarian visas, and permanent immigration status. TNJFON trains volunteers, attorneys, law students, and communities of faith to help them carry out their mission. Our work has been featured in local news media coverage including the [Tennessean](#), [Nashville Public Radio](#) and [News4 WSMV](#). TNJFON has grown its legal staff from one attorney and a Legal Advocate in 2019 to six staff members, including three full-time attorneys as of October 2021. The increase in capacity has allowed TNJFON to serve more immigrants, but the need is still enormous.

A critical part of the legal services infrastructure in Davidson County, TNJFON employs 3 of the 6.5 legal services immigration lawyers in the area. In 2021, TNJFON screened over 250 immigrants for potential immigration relief and carried an active caseload of over 500 cases. However, dramatic growth in Nashville’s immigration population in the last two decades has continued to strain existing infrastructure, leaving many without access to representation.

In 2022, Tennessee Justice for Our Neighbors will provide ongoing legal representation to 327 existing clients with cases before the U.S. Citizenship and Immigration Services or the Immigration Court, including victims of violent crimes or abuse in the United States; children who have been abused, abandoned or neglected; asylum seekers; and young people who qualify for DACA (Deferred Action for Childhood Arrivals); screen 250 new clients for a complete evaluation of legal immigration options and possible extended representation; and provide



extended representation to 30 new clients who qualify for a complex form of humanitarian relief, requiring multi-year representation.

The cost of our 2022 legal services program is \$352,680. With funding from this grant, TNJFON seeks to increase its capacity by adding two immigration lawyers, a paralegal, and legal advocate who will apply for DOJ accreditation, allowing TNJFON to screen an additional 160 clients and provide extended representation to 60 Afghan asylum seekers in the first year; and screen an additional 160 clients and provide extended representation to an additional 50 new clients in the two following years. Requested funds will support the salary of our legal department, including five attorneys, a Legal Advocate, a paralegal, an administrative assistant, and a part-time Dari interpreter.

## **B. TIRRC Team & Partners**

TIRRC and TNJFON are committed to collaborating on this project in a way that leverages the strengths of each organization. TIRRC will serve clients through group workshops and provide direct representation in more straightforward cases, while TNJFON will take on cases that are more complex. Drawing on its experience with community organizing and outreach and its connections in diverse immigrant communities, TIRRC will coordinate promotion of both organizations' legal services offerings and conduct its KYR community education. As the lead partner for this funding, TIRRC's Outreach Coordinator and Data and Evaluation Coordinator will manage these responsibilities for both organizations.

TIRRC and TNJFON have extensive experience with partnership. They are two of the three partners in the Delivering on the Dream collaborative, an innovative model for legal aid. They were selected for participation because of their central leadership role in the immigrant community and because they provide 90% of the related programming on this issue in Davidson County. Partnering together since 2014, TIRRC and TNJFON provide wrap-around programming, relying on the strengths of each individual organization rather than creating duplicative silos of work.

### **1. Tennessee Immigrant & Refugee Rights Coalition Team**

This work will be led by the members of TIRRC's staff who specialize in immigration legal services and community organizing. Overseeing the work will be TIRRC's Senior Programs and Services Director, Leticia Alvarez, who has led the organization's community organizing efforts since 2006. She brings her years of experience in addressing the needs of community members and expertly executing programs to ensure that our legal services will scale and serve our members effectively. The primary drivers of this work will be Senior Legal Advisor Diego Bonesatti, a Department of Justice (DOJ) representative who brings 33 years of experience with immigration legal services, and Immigration Legal Services Manager, Mari Campos Araujo, who

brings with her broad experience from a private immigration law office combined with her years as a volunteer and member of TIRRC. Providing supplemental support will be Deportation Defense Manager Jazmin Ramirez who will manage our community education work under this grant. Executive Director Lisa Sherman Luna, Grants Manager Erin Luce, and Operations Director Cara Doidge Kilgore will provide further managerial support. This funding will allow us to hire and train seven additional staff members to increase our capacity and stand up lasting systems.

## **2. Tennessee Justice for Our Neighbors (TNJFON) Team**

The legal department at Tennessee Justice for Our Neighbors is a team of bilingual, culturally competent lawyers and staff who provide representation for humanitarian forms of immigration relief. The organization is led by Tessa Lemos Del Pino who has held administrative roles at Columbia University in the City of New York and is admitted to the Washington State Bar. Legal Director Bethany Jackson has been practicing immigration law at TNJFON since 2014. Bethany is a graduate of Rhodes College and Tulane University School of Law with twenty-one years of experience practicing law, including eight years practicing immigration law. She joined TNJFON in 2014 as a Staff Attorney and has served as Legal Director since 2019. In that role, she oversees the services provided by the current legal staff of two staff attorneys (Alvaro Manrique Barrenechea and Allen King), Legal Advocate (Aineth Murguia), Administrative Assistant (Netra Rastogi), part-time Legal Clerk (Negar Ahmadi), and part-time law student (Emily Webb). With ARPA funding, TNJFON seeks to add two immigration attorneys, a paralegal and a DOJ accredited legal advocate who will be supervised by the directors.

## **C. Evaluation**

This proposal is underwritten by TIRRC, with increased capacity for evaluation, data collection and reporting, and partner management. TIRRC's Data and Evaluation Coordinator will manage systems for tracking and reporting on activities across both TIRRC and TNJFON, involving a services dashboard to be updated through monthly status reports from both organizations with input through an online form. Staff will track dates, locations, and attendance of clinics and outreach events, and confidential client data will be stored and maintained in the e-Immigration software platform. TIRRC and TNJFON will provide annual reports to Metro at the close of Years 1 and 2 of the grant that detail our progress toward the goals and metrics listed above, along with a cumulative report at the end of Year 3.

## SECTION 3 – BUDGET NARRATIVE & TIMELINE

### A. Narrative

This funding will be directed to TIRRC, who will then subgrant a portion of the funds to TNJFON. At TIRRC, the grant will primarily fund seven new positions, while also supplementing the salaries of existing staff who will devote significant time to this project. This includes staff on the Legal Services Team executing this work, as well as a small portion of human resources, managerial, and grant administration staff. Additionally, this will cover non-personnel costs such as case management and reporting software to be shared across organizations, costs for meetings and events, and other operational needs. The subgrant to TNJFON will support critical staff for their legal services team.

Also supporting TIRRC's legal services department are trusted local funders like the Memorial Foundation and the Community Foundation of Middle Tennessee. Previous funding from the Metro Direct Appropriation Fund has served to build our legal services capacity for naturalization services in the past.

**Year 1.** TIRRC will begin hiring the new personnel necessary to execute this work and standing up our volunteer program. We will provide management training to TIRRC personnel who are moving into management roles and orient new staff to our legal services programs. During this time, we will hold quarterly clinics across Davidson County and provide direct representation to our clients as capacity allows.

TNJFON will file its application for DOJ recognition for the organization and accreditation for its Legal Advocate, Aineth Murguia, in April 2022. Emily Webb, a 2022 Belmont College of Law graduate, has joined the TNJFON staff part-time and will be joining full-time after sitting for the July 2022 bar examination. TNJFON has identified a highly qualified, experienced asylum attorney who is willing to join TNJFON within four weeks of funding becoming available. TNJFON will work to hire and train additional support staff. The additional legal staff will focus on screening Afghan evacuees for asylum eligibility and providing extended representation on asylum claims as capacity permits. TNJFON will continue to provide representation to existing clients and screen Afghan evacuee referrals from NICE and Catholic Charities, the resettlement agencies as capacity permits.

**Year 2.** With personnel hired and trained, TIRRC expects for the program to now be operating at full capacity, with the number of consultations and filings at least 50% higher than the previous year. By the end of the year, our first cohort of legal services volunteers will have graduated from the program and achieved DOJ accreditation, further growing our collective capacity.

With additional personnel hired and trained, TNJFON will continue to provide representation to existing clients; screen immigrants for potential immigration relief; accept new clients for extended representation; train law students and attorneys attorneys for pro bono legal representation; and hold legal clinics at Casa Azafran or a location more convenient for clients. TNJFON expects a response to its DOJ application in year two of the grant. Once TNJFON receives DOJ approval, our Legal Advocate can carry her own caseload as a legal services provider under the supervision of our Legal Director.

**Year 3.** Both organizations will continue to provide legal services at full capacity while also taking time to evaluate our progress in the previous year and make any adjustments as necessary. We will evaluate the efficacy of our staffing structure, our volunteer program model, and the health of Davidson County's legal services capacity as a whole.

## B. Budget

### 1. TIRRC Proposal Budget

Item	FY22 (6 mo)	FY23	FY24	FY25 (6 mo)
Personnel	\$151,830	\$411,635	\$423,984	\$278,698
Taxes & Fringe Benefits	\$42,512	\$115,258	\$118,716	\$61,139
Consultants				
Grants Consultant	\$30,000	\$30,000	\$30,000	\$30,000
Legal Consultant	\$30,000	\$30,000	\$30,000	\$30,000
Volunteer Stipends (6)		\$10,800	\$10,800	\$5,400
Subgrant to TNJFON	\$174,272	\$363,360	\$374,262	\$221,592
Professional Licenses and Fees	\$408	\$1,650	\$1,650	\$408
Software	\$1,042	\$2,500	\$2,500	\$1,458
Advertising	\$250	\$250	\$250	\$250
Interpretation & Translation	\$400	\$800	\$800	\$400
Supplies	\$1,100	\$2,200	\$2,200	\$1,100
Printing & Copying	\$300	\$600	\$600	\$300
Telecommunications	\$13	\$30	\$30	\$18
Travel & Internal Meetings	\$83	\$200	\$200	\$117
Program Meetings	\$800	\$1,400	\$1,400	\$800
<b>Subtotal</b>	<b>\$433,010</b>	<b>\$970,683</b>	<b>\$997,392</b>	<b>\$631,680</b>
Indirect Costs	\$43,481	\$97,068	\$99,739	\$63,168
<b>Annual Total</b>	<b>\$476,311</b>	<b>\$1,067,751</b>	<b>\$1,097,131</b>	<b>\$694,848</b>
<b>Grand Total</b>	<b>\$3,336,042</b>			

## 2. TNJFON Subgrantee Budget

Item	FY22 (6 mo)	FY23	FY24	FY25 (6 mo)
Personnel				
Staff Attorney (2)	\$65,000	\$133,900	\$137,917	\$82,865
Paralegal/DOJ (2)	\$47,500	\$97,850	\$100,785	\$60,555
LegalDirector	\$7,515	\$18,576	\$19,134	\$9,854
Executive Director	\$3,758	\$7,742	\$7,975	\$4,107
Personnel Subtotal	\$123,773	\$258,068	\$265,811	\$157,381
Tax and Fringe Benefits	\$34,656	\$72,259	\$74,427	\$44,067
<b>Subtotal</b>	<b>\$158,429</b>	<b>\$330,327</b>	<b>\$340,238</b>	<b>\$201,448</b>
Indirect Costs (15%)	\$15,8434	\$33,033	\$34,024	\$20,145
<b>Annual Total</b>	<b>\$174,272</b>	<b>\$363,360</b>	<b>\$374,262</b>	<b>\$221,592</b>

# Appendix



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Tennessee Justice For Our Neighbors

## Immigration Legal Services Funding via the American Rescue Plan Funds

The American Rescue Plan Act (ARPA) provides an opportunity to provide critical services to immigrants and their families in effort to address the hardships immigrant communities have faced during the pandemic. The U.S. Department of the Treasury [encourages](#) governments to spend ARPA dollars to “*foster a strong, inclusive, and equitable recovery, especially with long-term benefits for health and economic outcomes*”.

We, the Tennessee Immigrant and Refugee Rights Coalition (TIRRC) and the TN Justice for Our Neighbors (TNJFON), strongly believe that allocating ARPA funding for immigration legal services will aid in economic recovery and stability for immigrant communities by providing vital community education around legal and social services; and, assisting individuals and families in applying for life-changing immigrant benefits that allow them to access better job opportunities and stay together in Tennessee.

Davidson County is home to approximately 94,396 foreign-born individuals<sup>1</sup> of all immigration statuses. Of these about 33,875 are undocumented, and 16,557 are estimated to be eligible to naturalize and become US citizens.<sup>2</sup> Below is more information on how immigration legal services directly align with the intended use of ARPA funding.

### Use of Fiscal Recovery Funds for Immigration Legal Services Meets the Following Funding Objectives from the American Rescue Plan<sup>3</sup>

1. **Address negative economic impacts caused by the public health emergency:** Immigrant and refugee families are deeply rooted in the fabric of Nashville communities and have been working on the frontlines of the COVID-19 crisis. However, they face enormous obstacles, such as limited English proficiency, ineligibility for public benefits, poverty, lack of transportation, fear, and discrimination, in accessing critical services that contribute to their health and well-being. The barriers and inequities are compounded during the pandemic with families now facing job and income losses, evictions, exorbitant medical bills, lack of childcare, and more. **Immigration legal services can directly support and eliminate economic hardships caused by the COVID-19 pandemic.** The ARPA funds provide an opportunity to bridge that financial gap by providing community resources that directly benefit immigrants eligible for immigration relief. For example, in 2020, 77% of the clients at Tennessee Justice for Our Neighbors were impacted by COVID-19 yet many did not receive the safety-net others in the state received. Many had to choose between paying their DACA filing fees (\$495) to keep their work permits and paying for groceries or rent. To alleviate this burden, TNJFON waived legal fees for many in 2020 however, there were still USCIS filing fees to pay. While some low-income individuals qualify for waiver of USCIS fees, DACA recipients are not eligible for this relief.
2. **Invest in communities most impacted by the public health emergency:** The Center for Migration Studies reports that approximately 67% (87,693) of the undocumented population in Tennessee is employed as an essential worker. Yet, 72% of undocumented people in Davidson County lack health

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<sup>1</sup> American Community Census Survey, 2020

<sup>2</sup> Migration Policy Institute, [CMSNY Davidson County Profile](#)

<sup>3</sup> [ARPA Funding Objectives](#)





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insurance.<sup>4</sup> This segment of the population has often been excluded from other federally funded stimulus packages and safety nets such as unemployment insurance or direct stimulus payments. Consider ARPA funding as a catalyst investment for a new or expanded long-term program to leverage additional sources of public and more permanent funding. Partnering with local trusted organizations creates social cohesion. Considering the lack of federal policies that are targeted towards undocumented individuals it is local government's responsibility to ensure some of the most vulnerable individuals are not excluded from community support and services. Investing in the community through immigration legal services provides an opportunity to remedy a lack of safety nets for essential immigrant workers.

3. **Provide Covid services - education and vaccination - in tandem with legal services events.** Legal services can be used as a draw for populations who would otherwise not attend a vaccination clinic or Covid presentation. Immigrants coming for legal services can receive a Covid presentation and be surveyed by a Covid Navigator prior to meeting with legal personnel ("Do you have a personal physician?" "Have you asked your doctor or other medical personnel about Covid and vaccines?", etc.). Legal clinics can be held in tandem with Covid clinics, which TIRRC already has experience with.

**Examples of ARPA funds used for immigrant legal services and other support systems:** More and more cities are using ARP funds to support nonprofit organizations who provide immigration services, including immigration legal services. For example, see below:

- [Washington DC](#)
- [Milwaukee, WI](#)
- [Madison, WI](#)
- [Miami-Dade County, FL](#)
- [Los Angeles County, CA](#)
- [Shelby County, TN](#): \$250,000 to assist 36 Afghan arrivals with immigration legal services with a promise of matching this funding from the city of Memphis.

**The Need for Immigration Legal Services Funding.** Demand for low-cost, high-quality immigration legal services exceeds the supply, and the demand has only increased over the years. In addition, there is a funding gap for the immigration legal services field to provide effective application assistance to low-income applicants. Changes in immigration policy in recent years have only intensified the demand for immigration attorneys and accredited representatives who can provide quality legal assistance at a low cost. With substantial relief funds going to state and local governments, now is the time for some of these resources to be invested in immigration legal services. Investing in immigration legal services is imperative for equitable access to due process, economic mobility, and shared prosperity.

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<sup>4</sup> [Center for Migration Studies Sub-State Data Tool 2019](#)



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The Department of Justice lists thirteen organizations serving Tennessee as “recognized” (licensed) to offer legal representation<sup>5</sup>, and there are only six pro-bono organizations that offer limited services for select immigration cases, primarily deportation defense.<sup>6</sup> The Tennessee Bar Association lists seventy members that practice immigration law across the state.<sup>7</sup> Limited low-cost resources for immigration legal services means current needs are not being met, in addition, recent Afghan arrivals add to the demand for legal representation and providers will be overwhelmed by demand when immigration policy changes are passed at the federal level. Many immigrants are eligible for immigration relief under federal immigration law, but without legal representation, may never be able to assert their legal rights.

**Immigration legal services are a critical tool for immigrant integration.** Investing in immigration legal services to assist immigrants in applying for immigration relief and US citizenship brings great returns. 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. A study from the USC Equity Research Institute 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 state economy.

**Prevents fraud by unscrupulous actors preying on vulnerable communities.** The lack of service providers available to serve a high number of individuals puts immigrant communities at risk of exploitation by unqualified individuals offering immigration services, commonly known as ‘notarios’. Nonprofit immigration attorneys provide refugee and immigrant communities with an alternative to seeking legal assistance from unqualified preparers or untrained friends or family members. The reliability of these institutions builds trust within immigrant and refugee communities and provides them with a credible resource for additional support, such as information on Covid, access to vaccines, starting a small business, and more.

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 as well as losing time and money filing prematurely. The constant changes in immigration policy at the federal level require that immigration legal service providers

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<sup>5</sup> TIRRC is licensed by the US Department of Justice. TIRRC recently renewed its “recognition”, a license the US DOJ issues to qualified nonprofits allowing them to practice immigration law via their DOJ accredited staff. This license permits nonprofits like TIRRC to apply for the accreditation of qualified staff, meaning that once funding is obtained and staff hired, TIRRC can seek accreditation for those already qualified as well as continue to train others in order to prepare them for application. DOJ accredited representatives are licensed to prepare immigration applications, give legal advice on immigration matters and represent families before the US Department of Homeland Security where most of the federal immigration agencies are housed (USCIS, ICE, CBP) as well as the US Department of State.

<sup>6</sup> [The US Department of Justice Recognition and Accreditation Program](#)

<sup>7</sup> [Tennessee Bar Association](#)



TENNESSEE  
**Immigrant  
& Refugee  
Rights**  
COALITION



stay up-to-date in these changes and prepare for future opportunities for immigrants to access relief and investing in immigration legal services allows community-based organizations to scale up to meet the demand.

**About us:**

**Tennessee Immigrant and Refugees Rights Coalition (TIRRC):** TIRRC is a statewide, immigrant and refugee-led collaboration. Our mission is to build power, amplify our voices, and organize communities to advocate for our rights. Our vision is a stronger, more inclusive Tennessee where people of all nationalities, immigration statuses, and racial identities can belong and thrive. TIRRC has been at the forefront of providing immigration legal clinics in Tennessee since our program launched in 2007.

**Tennessee Justice for Our Neighbors:** Tennessee Justice for Our Neighbors provides free or low-cost immigration legal services to low-income immigrants, refugees, and asylum seekers, without regard to race, religion, ethnicity, ideology, gender identity, or sexual orientation. We educate the public about immigration matters and advocate for the rights and dignity of immigrants.

Founded in 2008, TNJFON has assisted more than 3,000 individual clients in a variety of immigration matters, with a focus on representing low-income individuals who are eligible for humanitarian forms of relief. We primarily serve individuals earning below 200% of the Federal Poverty Level or who face other financial barriers to accessing representation.

During our legal clinic appointments, we conduct intake, evaluate immigration and other relevant history, and advise of any available options to change immigration status. Where a form of humanitarian relief is available, we provide direct representation as capacity allows.

Our highly skilled legal staff operate primarily in Spanish and English and have years of cross cultural and legal experience. TNJFON is a member of the National Justice for Our Neighbors network of nineteen legal services organizations.





# How Federal COVID-19 Relief Funding Can Support Immigrant Communities

September 2021

The American Rescue Plan (ARP) Act allocated \$1.9 trillion in federal funds to alleviate the COVID-19 pandemic's harms and create stronger, healthier communities.<sup>1</sup> The relief money is intended to aid recovery and stability and assist households, businesses, and organizations disproportionately affected by the pandemic. This includes immigrant communities.

One way these funds can help ensure safety and health for immigrant communities during the pandemic? By funding immigrant legal services, including deportation defense programs. Investing in legal services and representation programs for people facing detention and deportation supports COVID-19 relief efforts by providing lawyers, who advocate tirelessly for people's health and safety in communities cumulatively harmed by COVID-19, criminalization, and systemic racism. Jurisdictions can use ARP funds to create or expand deportation defense programs, like the ones in the Vera Institute of Justice's SAFE Initiative.

A view of a long line of people that stretches four blocks for relief goods in the Elmcors Building in Corona, Queens, New York, USA during the Coronavirus pandemic on May 6, 2020. (Photo by John Nacion/NurPhoto via AP)

## How do deportation defense programs like SAFE help immigrant communities?

- The SAFE Initiative works with governments, immigration legal service providers, and advocates to advance local- and state-funded deportation defense to further a national movement for universal representation.
- Immigrants who have legal representation are 3.5 times more likely to be granted release from detention on bond by an immigration judge and up to 10 times more likely to establish a right to remain in the United States than those who face deportation alone.<sup>2</sup>
- Publicly funded deportation defense programs help families and communities that have been disproportionately impacted by the pandemic. These programs help secure the release of people from detention, disrupt the pipeline between the criminal legal and immigration systems, restore due process, build community trust, and keep families together.

## Why should ARP funds be used for local and state deportation defense programs?

### 1 To help states and cities prevent and mitigate the spread of COVID-19 in detention.

- ICE and federal immigration authorities continue to target immigrant communities, book people into detention, and tear apart families. Detained immigrants face increased public health risks because detention facilities are a vector of the spread of COVID-19. ICE continues to book thousands of people into detention each month and transfer them across its vast network of facilities, seemingly without proper public health precautions.<sup>3</sup>
- Using ARP funding to invest in immigrant legal services and representation programs for people facing detention and deportation supports communities' COVID-19 prevention and mitigation efforts by ensuring legal advocacy for the health, safety, and freedom of people in detention. Release from detention is nearly impossible without representation, even for humanitarian reasons during this pandemic.

### 2 To supplement state and local funding available for immigrant justice programs.

- The infusion of federal financial support to state and local governments ensures that there is enough money for programs that expand immigrants' access to justice.
- Jurisdictions have the opportunity and responsibility to use the additional support to advance an equitable and inclusive recovery—moving public dollars away from investments that worsen economic and racial disparities and toward programs like deportation defense to help all communities recover, stabilize, and grow.<sup>4</sup> (See “How do deportation defense programs like SAFE help immigrant communities?” above.)

### 3 To help reverse the negative economic impacts of COVID-19 on immigrant communities.

- One ARP funding objective is to replace lost revenue that forced governments to make cuts while budgeting during the pandemic. Governments can use ARP funds to restart the growth of immigration program budgets that may have been paused by revenue losses incurred during COVID-19.<sup>5</sup> In the event that programs were negatively financially impacted by the pandemic, ARP funds could be used to revive them.

## How have jurisdictions already used ARP funds to support deportation defense?



- 1** **The City of Pittsburgh, Pennsylvania,** **invested** \$100,000 of ARP funding to start a new immigrant legal defense program.
- 2** **Washington, DC,** **plans** to increase its Immigrant Justice Legal Services grant program by \$2 million over two years using ARP funding.
- 3** **The City of North Miami, Florida,** **allocated** ARP funds to establish a new deportation defense program.
- 4** **The City of Long Beach, California,** **proposed** leveraging federal sources of stimulus and recovery funding to fund the Long Beach Justice Fund, which provides legal representation for Long Beach community members facing deportation.
- 5** **Los Angeles County** **approved** \$2 million of ARP funding for deportation defense.

## What can localities do next?

- Engage immigrant communities and organizations in conversation to collaborate on ARP investment priorities.
- Ensure that immigrants—regardless of status—can equally access and are eligible to receive all benefits and programs funded through ARP state and local plans.
- Consider ARP funding as a catalyst investment for a new or expanded long-term program to leverage additional sources of public—and more permanent—funding. Localities should prioritize making zealous representation for people facing deportation sustainable over time.

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### Endnotes

- 1 On May 10, 2021, the U.S. Department of Treasury released guidance on eligible uses of Coronavirus State and Local Fiscal Recovery Funds, a pool of money within ARP funding, directing jurisdictions to “. . . provide assistance to those households, businesses, and non-profits in communities disproportionately impacted by the pandemic.”
- 2 For a summary of this research, see Karen Berberich and Nina Siulc, *Why Does Representation Matter?* (New York: Vera Institute of Justice, 2018), <https://perma.cc/NTM6-F8UN>.
- 3 See also Nina Siulc, “Vera’s New Prevalence Model Suggests COVID-19 is Spreading through ICE Detention at Much Higher Rates than Publicized,” *Vera Institute of Justice*, June 4, 2020, <https://perma.cc/9HPW-HQU8>.
- 4 See Vera Institute of Justice, *Rising to the Moment: Advancing the National Movement for Universal Representation over Three Years of the SAFE Initiative* (New York: Vera Institute of Justice, 2020), <https://perma.cc/9ZQ2-WM7Q>; and Vera Institute of Justice, *Support Universal Representation: SAFE Initiative 101* (New York: Vera Institute of Justice, 2020), <https://perma.cc/4M4K-3YFF>.
- 5 For the full rules and regulations for ARP funding, see U.S. Department of the Treasury, 31 CFR Part 35.

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### For more information

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