



## Immigration Legal Services Pilot Program Extension Request

In 2022, Metro Nashville piloted a historic investment in local immigration legal services using American Rescue Plan Act (ARPA) funding. The two leading local providers of immigration legal services and resources, Tennessee Justice for Our Neighbors (TNJFON) and the Tennessee Immigrant and Refugee Rights Coalition (TIRRC), have used Metro's ARPA support to expand their legal programs and enable hundreds of Metro residents to adjust or maintain lawful immigration status or U.S. citizenship. Between June 2022 and December 2023, TIRRC and TNJFON provided free immigration legal services to more than 700 Davidson County residents, enabling them to understand their rights and obligations under federal law and in many cases to secure or extend immigration status and work authorization.

### Scope of work for extension period July 1, 2024-June 30, 2026



#### Legal Information and Education

TIRRC will provide high-quality legal information, resources, and referrals to 2000 individuals through our resource line and resource desk over the grant period



#### Legal Representation

TIRRC will provide ongoing legal representation to at least 200 clients in naturalization, DACA, and other cases during the grant period.

With this funding, TNJFON will provide limited legal representation (advice and counsel) to at least 300 individuals and extended representation to at least 100 individuals in cases including affirmative asylum, U visas, T visas, VAWA, Special immigrant Juvenile, Lawful Permanent Residence, inadmissibility waivers, and defensive asylum.



#### Immigrant community resource line and resource desk

TIRRC will reach at least 500 community members through at least 30 community legal education sessions over the grant period

### Submitted by:



TENNESSEE  
**Immigrant  
& Refugee  
Rights**  
COALITION



Tennessee Justice For Our Neighbors

February 2024

# **IMMIGRATION LEGAL SERVICES PILOT PROGRAM EXTENSION REQUEST**

Tennessee Immigrant and Refugee Rights Coalition (TIRRC) and Tennessee Justice for our  
Neighbors (TNJFON)  
February 2024

## **1. Context and Project Summary**

A diverse and vibrant community of immigrants and refugees calls Davidson County home. Nearly 13% of Nashville residents are foreign born<sup>1</sup> and more than 100 languages are spoken in Metro Public Schools,<sup>2</sup> and tens of thousands of U.S. born Nashvillians have parents, spouses, or other close relatives who are foreign-born. While immigrant communities have grown rapidly over the past two decades, so too has the need for services tailored to this population's unique needs. In particular, the need for accessible, high-quality immigration legal services, education, and information greatly outstrips available local nonprofit legal resources. Given the complexities and high stakes of federal immigration laws, high-quality legal services and support are critical to enabling local immigrants to become full participants in Nashville's economic and community life.

In 2022, Metro Nashville piloted a historic investment in local immigration legal services using American Rescue Plan Act (ARPA) funding. The two leading local providers of immigration legal services and resources, Tennessee Justice for Our Neighbors (TNJFON) and the Tennessee Immigrant and Refugee Rights Coalition (TIRRC), have used Metro's ARPA support to expand their legal programs and enable hundreds of Metro residents to adjust or maintain lawful immigration status or U.S. citizenship. Between June 2022 and December 2023, TIRRC and TNJFON provided free immigration legal services to more than 700 Davidson County residents, enabling them to understand their rights and obligations under federal law and in many cases to secure or extend immigration status and work authorization.

With support from the American Rescue Plan (ARP) over the last 18 months, TIRRC and TNJFON have been able to scale up their services and infrastructure to respond to the growing legal needs of immigrant residents of Davidson County. Unfortunately, the community's need continues to outstrip existing immigration legal resources and services. With ongoing support from Metro, TIRRC and TNJFON will work to ensure that local immigrant community members have access to legal and community resources and referrals; to provide legal representation when possible; to equip those community members forced to navigate the legal system without legal representation to do so as effectively as possible; and to enable eligible community members to

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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

obtain work permits, protection from deportation, become U.S. citizens, and live safely and freely with their loved ones while making valuable contributions to the Nashville community. The range of immigration legal information and representation needed by Davidson County residents is vast but together, TIRRC and TNJFON efficiently use their resources to coordinate efforts so that each step of the path is compassionately and competently addressed.

## **2. Background**

### **Tennessee Immigrant and Refugee Rights Coalition (TIRRC)**

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 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 21st 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](#) and [Rolling Stone Magazine](#).

In the first phase of TIRRC’s work funded by ARPA funds from Metro Nashville from June 2022 through December of 2023, our legal team made strides in assisting immigrant and refugee community members with immigration legal matters, expanding the capacity of our team and that of Nashville’s legal services ecosystem, and ensuring that the wider immigrant community was aware of the services available to them and of their rights under the law. Through this funding, TIRRC hired three new full-time staff members and supported the work of four more. Between June 2022 and December 2023, TIRRC provided legal consultations/brief advice and counsel to 404 Davidson County clients. TIRRC also provided extended representation in applications for immigration relief or naturalization to 139 Davidson County clients. The TIRRC team also established and built out a phone line specifically for legal matters for immigrant and refugee community members to call for intake, screenings, and referrals. From June 2022 through December 2023, we received over 800 calls from Davidson County residents. Additionally, twenty professionals in Nashville’s legal sector took their first steps toward DOJ accreditation by attending a Comprehensive Overview of Immigration Law (COIL) training, a 40-hour course, hosted by TIRRC and our Senior Legal Advisor Diego Bonesatti. We also shared valuable Know Your Rights information at 27 outreach events. Through our relationships with local Spanish-language media outlets and multimedia distribution of informational materials in eight languages, information on legal services and resources in Nashville reached a combined

following of 551,000. Our partnerships with eight community organizations has led to 14 in-person and virtual presentations and events that brought details on our work straight to the immigrants and refugees who are most in need of legal assistance while building trust and rapport with diverse community groups.

### **Tennessee Justice for Our Neighbors (TNJFON)**

Since 2008, TNJFON has provided immigration legal representation (legal representation provided by a licensed attorney pursuant to a written representation agreement signed by the client) to thousands of immigrant residents of middle Tennessee.

TNJFON attorneys and DOJ-accredited representative provide one-on-one limited legal representation (advice and counsel) to clients regarding eligibility for immigration relief and extended representation to clients eligible for affirmative relief such as U visas, T visas, protection under the Violence Against Women Act, asylum, Special Immigrant Juvenile status, adjustment of status (lawful permanent residence), DACA (Deferred Action for Childhood Arrivals) renewals, and advance parole (travel documents) before US Citizenship and Immigration Services. In September 2023, we added a Memphis-based Senior Staff Attorney who represents Davidson County residents in removal proceedings before the Memphis Immigration Court. Extended representation represents a significant commitment of legal staff time over a period of months to years, depending on the case type.

### **TNJFON CLIENTS SERVED FROM JUNE 2022-DECEMBER 2023**

Metro funding provides Davidson County residents with access to free, high-quality legal representation by TNJFON lawyers and our DOJ-accredited representative. From June 2022 through December 2023, Metro funding allowed our legal staff to open 360 cases for Davidson County residents (advice and counsel for 244; extended representation for 116).

The 331 Davidson County residents represented include:

- 92 children and 239 adults
- 171 who identify as female and 160 who identify as male
- 249 identify as Hispanic, 68 as Asian, and 12 as Non-Hispanic Black or African.
- They come from 21 countries (Afghanistan, Bahamas, Cuba, The Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Japan, Mexico, Nicaragua, Nigeria, Russia, South Africa, Spain, Trinidad and Tobago, Ukraine, and Venezuela).

Metro funding allowed TNJFON to represent a family of ten who fled Afghanistan when the Taliban seized control in 2021. The head of the family had worked extensively with US troops in

Afghanistan, serving for almost fifteen years. Because of that work, the Taliban was certain to target the entire family. A TNJFON staff attorney represented the family in their request for asylum. Preparing the applications was challenging due to the father's extensive military background and because the family's native language was not one of the two main Afghan languages—Dari and Pashto. The TNJFON staff attorney dedicated hours to preparing the applications, sworn declarations, and extensive country conditions evidence, documenting why the family would be subject to persecution by the Taliban if they were forced to return to Afghanistan. The TNJFON staff attorney represented the family at interviews before the US Citizenship and Immigration Services (USCIS) Asylum Office. The father's military history raised some questions, and USCIS scheduled him for an unusual follow-up interview. The TNJFON staff attorney anticipated the questions that would be asked and prepared the client. USCIS approved the asylum applications, and TNJFON now represents all ten on applications for lawful permanent residence ("green card") and on a request to help other family members flee Afghanistan.

### **3. Proposed Extension Activities**

#### **Tennessee Immigrant and Refugee Rights Coalition (TIRRC)**

##### **A. Promote Naturalization and DACA representation:**

We will continue to provide critically-needed legal representation for immigrants in immigration cases in which TIRRC has developed particular experience and expertise.

TIRRC has a long track record of conducting outreach, screening, and assisting eligible immigrants with the naturalization process. According to USCIS,<sup>3</sup> more than 80,000 residents of Tennessee are eligible to become U.S. citizens. With the state's largest share of foreign-born individuals, many of those tens of thousands of Tennesseans eligible to naturalize are Davidson County residents. With this funding, TIRRC will continue to assist this population through outreach, education, and legal assistance in the naturalization application process. Becoming a United States citizen opens a world of opportunities; namely, the ability to fully participate in the civic life of one's community by voting. On average, new U.S. citizens will increase their income by 8 to 11 percent and are less likely to be unemployed, which decreases the likelihood they will rely on public services. In fact, new citizens actually increase local and federal tax revenues through homeownership and enhanced spending power. Through naturalization, new Americans can access many options not previously available to them, such as public-sector jobs, a U.S. passport, the ability to visit their home countries, and freedom from the ever-present fear of deportation.

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<sup>3</sup> [Eligible to Naturalize Dashboard | USCIS](#)

Additionally, over 2000 Davidson County residents are recipients of DACA, the federal program created in 2012 to provide protection from removal and work authorization to long-term residents brought to the U.S. as children. While that program is currently the subject of litigation that is expected to reach the U.S. Supreme Court later this year, it is vitally important that its beneficiaries maintain their status, explore other immigration options, and stay abreast of DACA-related legal updates. We will continue to provide legal assistance to DACA recipients to enable them to maintain their DACA status and, where possible, to secure other forms of durable immigration protections. Maintaining this status is a vital component to individuals' ability to work, build a career, and provide for their families.

We will also stay abreast of immigration law changes and adapt our extended representation services to the most pressing and urgent needs that we are well-equipped to address.

We anticipate providing ongoing legal representation to at least 200 clients in naturalization, DACA, and other cases during the grant period.

**B. Enhance and expand immigrant community resource line and resource desk:**

As a trusted and accessible institution for immigrants in Tennessee, TIRRC is often the first place immigrants and refugees turn to when they experience problems or need reliable information. Every year, TIRRC receives thousands of requests for assistance and information from immigrants and refugees; most of these requests implicate legal issues and problems. With this continued ARPA funding, TIRRC will invest in our resource line and resource desk to enhance and expand our capacity to provide high-quality legal information, self-help resources, and referrals on immigration matters and on other legal issues that impact the daily lives of immigrant community members.

Across the country, immigration legal services organizations have responded to the overwhelming unmet need for representation in immigration court proceedings by developing self-help centers and resource desks. These programs provide immigrants with high-quality, reliable information about the immigration court process and how to protect their rights as they navigate it on their own. Through the hundreds of immigration legal consultations TIRRC legal service providers have conducted since June 2022, we have learned that there is an enormous need in Davidson County for this sort of widely-available legal information and self-help assistance with the removal process. Because capacity for direct representation is so limited with respect to the need for legal assistance, this type of resource that equips community members to navigate legal processes on their own is particularly valuable. With continued support from Metro, we will devote additional staff resources to our community resource line to ensure that all callers who are in removal proceedings have access to specific, tailored, high-quality information about their rights and obligations in immigration court. We will also provide this information and assistance in-person to community members who come to our building. While the resource line



will be staffed by community navigators, an experienced immigration practitioner will supervise the development of the resource line materials, protocols, and engagement with individuals seeking assistance.

In addition to information about immigration matters and the immigration court process, immigrant community members also turn to TIRRC for information, referrals, and assistance on other matters affecting their daily lives - for example, problems with work, access to health care, or child custody. With Metro support for additional staffing for our resource line, our legal staff will develop information, self-help resources, and referrals tailored for immigrant community members on these other areas of need as well.

We anticipate providing high-quality legal information, resources, and referrals to 2000 individuals through our resource line and resource desk over the grant period.

### **C. Community legal education and information:**

In addition to expanding and deepening our community resource line, we intend to address the acute unmet need for legal information and support among immigrants in Nashville with community legal education and Know Your Rights (KYR) sessions. As with the legal information provided to callers to TIRRC's resource line, the content of the KYR sessions will be developed by legal staff with subject area expertise and delivered in a way that is accessible to community members.

We have learned over the past several years that in order to be most beneficial to community members, each KYR session should be as detailed, specific, and customized as possible to the audience. We've also learned that we can reach different sectors of the immigrant community by hosting these sessions in diverse settings and spaces - for example, sessions hosted in local schools; in our building; and virtually have all helped us reach distinct audiences and populations. We intend to apply these learnings and leverage the enhanced legal staff capacity that continued Metro support will provide to deliver high-quality, tailored legal education on a range of immigration and related topics to immigrant community members throughout Metro. We anticipate focusing in particular on the following topics and audiences:

- Recently-arrived migrants navigating the asylum and court process;
- DACA recipients, whose status may be in jeopardy in coming years due to litigation that is expected to reach the U.S. Supreme Court;
- Immigrant victims of workplace exploitation and abuse who may be eligible for immigration protections and work authorization.

We also anticipate collaborating with other partners to deliver high-quality, tailored community legal education sessions on a range of topics affecting immigrant community members' lives,

such as access to health care and nutrition programs, access to workers' compensation benefits, and information regarding family law and child custody rules.

We estimate that we will reach at least 500 community members through at least 30 community legal education sessions over the grant period.

## **Tennessee Justice for Our Neighbors**

TNJFON requests \$839,203 to continue the work of this successful pilot program for an additional two years. The extended representation cases opened in years one and two of the grant require ongoing representation. With this funding, TNJFON will provide limited legal representation (advice and counsel) to at least 300 individuals and extended representation to at least 100 individuals in cases including affirmative asylum, U visas, T visas, VAWA, Special immigrant Juvenile, Lawful Permanent Residence, inadmissibility waivers, and defensive asylum.

### **A. Legal Representation**

At an advice and counsel consultation, a TNJFON attorney or DOJ-accredited representative meets with the client to gather information, answer the client's questions, and provide the client with an expert legal opinion on her immigration situation. The attorney or DOJ-accredited representative explains the US immigration system and any options the client has for changing immigration status. For each possibility, we explain the eligibility requirements, the process, the filing fees, the timelines, and the risks and benefits. Sometimes, US immigration law does not provide the client with any options. If additional information from the client or research by TNJFON is required, we schedule a follow-up appointment.

On average, a TNJFON attorney or DOJ-accredited representative will spend 6 hours on an advice and counsel consultation. TNJFON does not charge any client for an advice and counsel consultation. We are committed to ensuring that vulnerable immigrants have access to a free and reliable assessment of their immigration situation.

While reliable advice and counsel consultation is a critical first step in an immigrant's path toward lawful immigration status, it is not sufficient on its own. Davidson County residents not only need an evaluation, they also need representation. Just like a medical diagnosis without access to treatment is heart-breaking, a legal evaluation without access to representation gives rise to despair.

There are a limited number of private immigration attorneys in the Nashville area. According to CLIO, a case management software platform, the average hourly rate for an immigration



attorney in private practice in Tennessee is \$452. Many immigrants are not able to pay private rates and/or are not informed of how the immigration system works. As a result, they may unknowingly turn to notaries, tax and document preparers, and others engaged in the unlawful practice of law, who may provide incorrect or even harmful advice.

US immigration law is complex, and policies change frequently. The immigration process is lengthy and complicated. There are many opportunities for missteps and errors that result in denial. In certain cases, those missteps can result in permanent denial of any access to immigration status. Unlike a defendant in a criminal proceeding, an immigrant does not have the right to government-appointed counsel. Immigrants with competent legal representation are far more likely to succeed than those without.

TNJFON attorneys and our DOJ accredited representative provide legal representation for the life of the immigration case. Depending on the type of case, this is currently a commitment of anywhere from six months to eight years.

Although we cannot guarantee a certain outcome or success in every case, we provide expert, professional legal services to our immigrant clients. For those clients who are successful, they have the right to live and work safely in the United States. For our clients and their families, this means opportunity, stability and, most importantly, peace of mind.

As proposed in 2022, TNJFON is meeting its commitment to increase capacity and provide 320 advice and counsel consultations and representation in 110 extended representation to Davidson County residents. This work allows our clients, who would otherwise not have been able to afford these services, to find safety and economic stability. A change in immigration status for Davidson County residents leads to expanded opportunities to participate in civic life; pursue further education; build a career; increase earnings and spending power; contribute to local, state, and federal taxes; create businesses; and buy homes. TNJFON seeks funding for two more years to continue this critical program.

#### **4. Budget Narrative**

##### **Tennessee Immigrant and Refugee Rights Coalition**

TIRRC's proposed budget for the next two-year grant period includes \$566,635 in salaries, wages, and benefits and taxes for portions of time for seven key full-time personnel undertaking this work, along with three part-time staff members who will together manage our resource line and resource desk. This personnel team includes a Legal Director, two Staff Attorneys, and a DOJ-Accredited Resource Desk and Legal Services Manager. A Community Legal Education Coordinator and Grants and Data Coordinator will round out the team. Together, the team will

ensure that our resource line and resource desk provide high quality legal information and referrals; develop and implement self-help workshops and limited scope clinics; plan and execute community legal education events; and manage representation cases. TIRRC's budget also accounts for \$117,712 in benefits and taxes for the implicated staff at a rate of 22%. Additionally, the budget includes \$21,500 per year in professional fees to account for consultant and contractor assistance with grant-related work as needed. A supply line item of \$1,550 per year will cover the costs of online platforms that the TIRRC team will use to manage our phone and intake systems. TIRRC elects to use a 10% de minimis rate for indirect costs, totaling \$73,045 for the two year period. TIRRC's total funding request is \$803,492.

| <b>Budget Category</b> | <b>Year 1 (July 2024 - June 2025)</b> | <b>Year 2 (July 2025 - June 2026)</b> | <b>Total</b>     |
|------------------------|---------------------------------------|---------------------------------------|------------------|
| Salaries and Wages     | \$265,774                             | \$300,862                             | \$566,635        |
| Benefits and Taxes:    | \$57,540                              | \$60,172                              | \$117,712        |
| Professional Fees      | \$21,500                              | \$21,500                              | \$43,000         |
| Supplies               | \$1,550                               | \$1,550                               | \$3,100          |
| Other Non-Personnel    | \$34,636                              | \$38,408                              | \$73,045         |
| <b>TOTAL:</b>          | <b>\$381,000</b>                      | <b>\$422,492</b>                      | <b>\$803,492</b> |

### **Tennessee Justice for our Neighbors**

TNJFON's proposed budget for the next two-year grant period includes \$687,308 to partially fund the salaries, wages, benefits and taxes for eight key personnel performing this work. The TNJFON personnel team includes two staff attorneys, one DOJ-accredited representative, two paralegals, one administrative assistant, legal director and executive director. TNJFON's proposed budget also includes 11% in benefits and taxes totalling \$75,604. A 10% indirect cost rate is also included in the budget. TNJFON's total funding request is \$839,203.

| <b>Budget Category</b>         | <b>Year 1 (July 2024 - June 2025)</b> | <b>Year 2 (July 2025 - June 2026)</b> | <b>Total</b>     |
|--------------------------------|---------------------------------------|---------------------------------------|------------------|
| Salaries and Wages             | \$335,272                             | \$352,036                             | \$687,308        |
| Benefits and Taxes:            | \$36,880                              | \$38,724                              | \$75,604         |
| Professional Fees              | \$0                                   | \$0                                   | \$0              |
| Supplies                       | \$0                                   | \$0                                   | \$0              |
| Other Non-Personnel (Indirect) | \$37,215                              | \$39,076                              | \$76,291         |
| <b>TOTAL:</b>                  | <b>\$409,367</b>                      | <b>\$429,836</b>                      | <b>\$839,203</b> |