



TAHIRIH
JUSTICE
CENTER®

Promoting Justice for Women & Girls Worldwide

Donor Report:

**Survey of Immigrant
Legal Service
Providers in the
Washington, DC area**

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Introduction

Purpose

Since its inception, the Tahirih Justice Center (Tahirih) has sought to provide a range of services to immigrant women while maintaining a role that is complimentary and not duplicative in the immigrant service provider community. Tahirih conducted this survey to inform its 2006 strategic planning process and will utilize it to guide its programmatic direction. Recognizing the value of this information to colleagues, we have also sought to make the results available to like-minded organizations and funders. It is our hope that these results will prove useful to others in evaluating their programs and charitable giving.

Methodology

The pool of survey respondents was drawn from a Capital Area Immigrant Rights Coalition list of like-minded organizations. Out of 22 organizations who were invited to participate, 14 organizations returned completed surveys.¹ The majority of the questions were constructed in a multiple choice format, with a few open ended questions for elaboration. It was our intention to receive and present as clear and easy to understand responses as possible.

The Washington DC Area Immigrant Community

The Washington DC area has one of the largest and fastest growing immigrant populations in the nation. Considered an emerging immigrant gateway, the DC metropolitan area saw its foreign-born population increase by 70% during the 1990s as half a million immigrants flocked to the city.² Moreover, this rapid increase in the immigrant population contributed to nearly half of the overall population growth in the region.³ There are now over 830,000 immigrants living in the Washington DC region.⁴

The diversity of the immigrant community in the metropolitan area is as striking as its recent growth. Three-quarters of foreign born residents originate from 30 different countries,

¹ Organizations who completed the survey: Ayuda, Boat People SOS, Hogar Hispano/Catholic Charities, Center for Applied Legal Studies, Central American Resource Center, Hispanic Committee of Virginia, Human Rights First, Justice for Our Neighbors, Lawyers' Committee for Civil Rights, Maryland Vietnamese Mutual Association, Migrant and Refugee Cultural Support, Tahirih Justice Center, and Women Empowered Against Violence. Organizations who did not complete the survey: Capital Area Immigrant Rights Coalition, Catholic Charities Immigration Legal Services-Baltimore, Catholic Immigration Services, GW University Immigration Clinic, Just Neighbors Ministry, Lutheran Social Services, Progresso Hispano, Spanish Catholic Center, and the Women's Law Center of Maryland.

² Mary Beth Sheridan, "Region's Immigrants Faring Better?," Washington Post, June 12, 2003.

³ *At Home in the Nation's Capital: Immigrant Trends in Metropolitan Washington, DC.* ("Immigrant Trends"), by Audrey Singer, Center on Urban and Metropolitan Policy, The Brookings Institution Greater Washington Research Program (June 2003), p.4

⁴ *Immigrant Trends*, p.1.

representing a broader spectrum than in many other urban areas.⁵ While the Spanish-speaking immigrant community is the largest single immigrant group, the combined majority of immigrants in the Washington DC area are Asian, Middle Eastern, and African.⁶ Many demographic studies of foreign-born populations in the region particularly note the sizeable African immigrant community in the Washington DC area. Maryland and Washington DC are two of three states with the highest proportions of African immigrants in the United States.⁷ According to the Brookings Institution, almost 100,000 African immigrants live in the DC region. This group comprises 11% of the region's immigrant population (compared to 3% nationwide) and is the second largest foreign-born African community in a metropolitan area in the United States.⁸

Fairfax County, Virginia, where Tahirih's office is located, reflects the region's demographic trends. A Brookings Institution study, conducted in 2000, concluded that the immigrants living in Fairfax County comprised 30% of the Washington DC area foreign-born population. Additionally, Fairfax County immigrants were highly concentrated in the neighborhoods immediately surrounding Tahirih's office (Bailey's Crossroads and Seven Corners) making up 61% of the population.⁹

The increasing needs of the general immigrant community are great, but those needs are particularly acute among immigrant women. Of the total immigrant population in the Washington metropolitan area, more than 285,000 are immigrant women.¹⁰ When subject to violence, immigrant women face unique obstacles to seeking help. Cultural constraints, family pressures, and signals they receive from their religious communities prevent many women from accessing help. Additionally, battered immigrant women are uniquely vulnerable because their abusers often wield control over their immigration status, ability to obtain work authorization, and other resources, preventing their access to legal services.

⁵ *The World in a Zip Code: Greater Washington, DC as a New Region of Immigration*, by Audrey Singer, Samantha Friedman, Ivan Cheung, and Marie Price. Center on Urban and Metropolitan Policy, The Brookings Institution Greater Washington Research Program (April 2001), p. 14.

⁶ *Immigrant Trends*, p. 7.

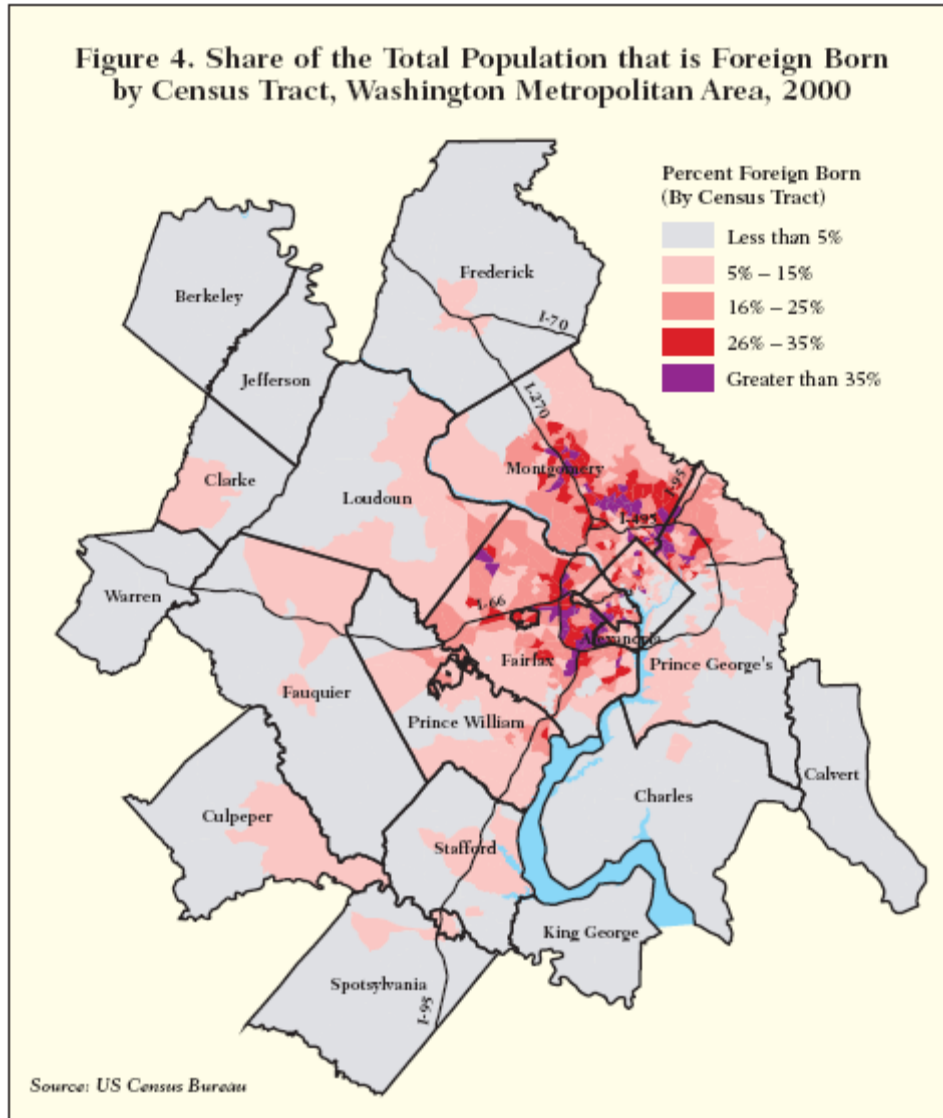
⁷ "African Immigrants in Metropolitan Washington: A Demographic Overview," presentation by Jill H. Wilson, African Immigrants and Refugees Foundation Conference (November 18, 2003).

⁸ *Immigrant Trends*, p. 7.

⁹ *Immigrant Trends*, p. 6.

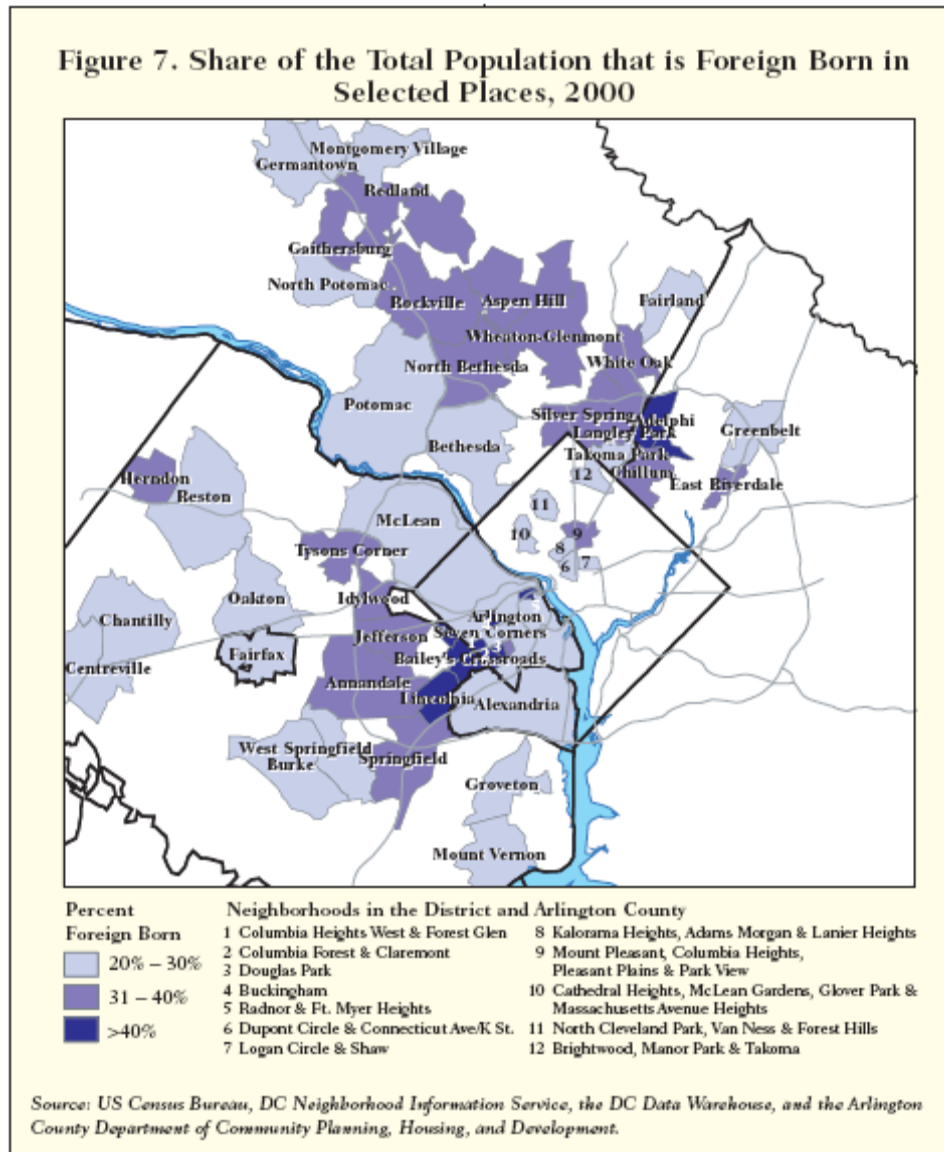
¹⁰ United States 2000 Census Reports.

Percentage of Total Population that is Foreign-born in Washington Metro Area



(Graph courtesy of *At Home in the Nation's Capital: Immigrant Trends in Metropolitan Washington, D.C.* by Audrey Singer. The Brookings Institution Greater Washington Research Program, 2003)

Percentage of Total Population that is Foreign-born in Selected Areas



(Graph courtesy of *At Home in the Nation's Capital: Immigrant Trends in Metropolitan Washington, D.C.* by Audrey Singer. The Brookings Institution Greater Washington Research Program, 2003)

Summary of Results

The survey revealed the following about the legal needs of immigrants in the Washington DC area:

- Despite the 2000 Census conclusion that the Washington DC area has one of the fastest growing populations of African immigrants, it is the most underserved ethnic community in the region.
- The attorney capacity of most organizations is very small and those attorneys are generally at the beginning of their careers.
- The vast majority of organizations do not utilize the assistance of pro bono attorneys at law firms, or do so only minimally.
- The average caseload of an attorney at a legal services organization is between 10 and 20.
- Very few organizations represent detained immigrants.
- Few organizations engage in federal litigation on behalf of their clients.
- Family law is viewed as one of the most pressing unmet legal needs of the immigrant community.
- Housing needs were identified as the most common social service need of the immigrant community by legal service providers. Secondly, but also significantly mentioned, were education and health needs.
- Only one direct services organization also had an in-house registered lobbyist to represent their clients' issues on Capitol Hill.

The survey also revealed the following conclusions about the Tahirih Justice Center's services as compared with others in the Washington DC area:

- Tahirih is the only legal services organization solely dedicated to providing services for immigrant women and girls.
- Tahirih unusually leverages relationships with pro bono attorneys at large law firms, co-counseling on 70% of its cases and accessing \$1.9 million in donated services (in 2005).
- Tahirih is one of a handful of organizations that engage in Federal and Supreme Court litigation.
- The average caseload handled by Tahirih attorneys is much larger than other organizations. (Each Tahirih attorney averages 50 combined in-house and co-counseled cases.)
- Tahirih is the only legal services organization that handles cases in-house that also has a registered lobbyist on staff to represent its clients' interests on the Hill.

Survey Data and Analysis

The survey asked over 40 questions that were designed to gain knowledge about legal services provided, needs assessed, and organizations' internal practices and procedures. While all of the information gathered was helpful as Tahirih considers opportunities for improvement and its strategic direction, only the information regarding legal services and community needs are reflected in this report.

Ethnic and Gender Focus of Legal Service Providers

I. Question: Does your organization target a specific immigrant community?

Yes	No
Boat People SOS	Tahirih Justice Center
Central American Resource Center	Center For Applied Legal Studies
Hispanic Committee of Virginia	Justice for Our Neighbors
	Hogar Hispano/Catholic Charities
	Women Empowered Against Violence (WEAVE)
	Human Rights First
	Lawyers' Committee for Civil Rights
	Ayuda

Analysis: Most organizations providing legal services to immigrants in the Washington DC area do not specifically target one ethnic community, although many do have their roots in specific nationalities and have a particular language or cultural capacity. Most organizations with ties to a particular ethnicity are rooted in the Latino community. Those organizations that target a specific community also may serve clients from a wide range of communities.

Application of Data to Tahirih: The Tahirih Justice Center strives to ensure a diverse range of linguistic and cultural capacity among its staff in order to serve a broad range of immigrant communities. Specifically, ten Tahirih staff members speak more than one language, including fluency in five languages (Spanish, French, Chinese, Farsi, and Albanian) and a working knowledge of seven others (Amharic, Arabic, Japanese, Korean, Russian, Setswana, Turkish, and Malagasy). Additionally, Tahirih can access a network of volunteers that provide language translation in multiple languages.

2. Question: If yes, what geographic region do you target?

Eastern Europe	Latin/Central America	Africa	Middle East	East Asia*	South Asia*
	Hispanic Committee of Virginia			Boat People SOS	
	Central American Resource Center				

Analysis: Of the legal services organizations that target specific ethnic communities, notably, none target the African community. This is despite the 2000 US Census results showing that the Washington DC area has one of the fastest growing populations of African immigrants. In fact, the metro area has the largest proportion of African immigrants per capita in the nation. Also of note are the few organizations serving the Asian community, in spite of recent data reflecting that 36% of the area’s foreign-born population is from Asia (second only to the Latin American and Caribbean communities).¹¹

*Although they did not complete the survey, Tahirih is aware of one additional legal services organization that serves the Asian community, but the number of organizations serving this large immigrant community remains comparatively small.

Application of Data to Tahirih: Considering the demographic data, the low rate of focus by other organizations on Africa, Tahirih’s linguistic capacity to serve Africans, and its current comparatively large African client base (58 out of 171 active cases are for African clients), Tahirih is in a strategic position to further focus on the African community.

3. Question: How do you determine who qualifies for your services?

Results and Analysis: The survey asked organizations to indicate which of the following requirements were used to determine if a service seeker was eligible for services: Income, Country of Origin, Gender, Case Type, or Current Location. Only WEAVE and Tahirih listed gender as an eligibility requirement.

Application of Data to Tahirih: While WEAVE serves American and immigrant women, only Tahirih exclusively serves immigrant women and it serves women in MD, VA, and DC without geographic limitation. Providing legal services to immigrant women is an important focus that guides the development of Tahirih’s internal capacities and services.

¹¹ *Immigrant Trends*, p. 8.

Fees Charged by Legal Service Providers

4. Question: Is there an intake or consultation fee?

Yes	No
Central American Resource Center	Tahirih Justice Center
Hogar Hispano/Catholic Charities	Lawyers' Committee for Civil Rights
Hispanic Committee of Virginia	Center For Applied Legal Studies
Ayuda	Justice For Our Neighbors
	International Human Rights Clinic
	Human Rights First
	WEAVE
	Boat People SOS

Analysis: Most organizations do not charge intake or consultation fees.

Application of Data to Tahirih: The Tahirih is consistent with many organizations in not charging intake or consultation fees.

5. Question: Excluding cost reimbursements and intake fees, do you charge fees for your services?

Yes	No
Central American Resource Center	Tahirih Justice Center
Hogar Hispano/Catholic Charities	Justice for Our Neighbors
Hispanic Committee of Virginia	WEAVE
Ayuda	Boat People SOS

Analysis: Approximately half of direct legal services organizations surveyed charge fees for their services. Most do so on a sliding scale model and have income qualification guidelines.

Application of Data to Tahirih: Tahirih is among 50% of service providers in not charging fees for its services.

Staff Capacity of Legal Service Providers

6. Question: How many attorneys are on your staff?

Number of Attorneys on Staff			
1-3	4-6	7-10	Over 10
Justice for Our Neighbors	Tahirih Justice Center	Ayuda	Lawyers' Committee for Civil Rights (organization wide, including non-immigrant services)
Central American Resource Center	Center for Applied Legal Studies (including law students)		
International Human Rights Clinic	WEAVE		
Hogar Hispano/Catholic Charities	Boat People SOS		
Human Rights First			
Hispanic Committee of Virginia			

Analysis: Most organizations only have between 1 and 3 attorneys on staff. The low number of attorneys underscores the limited capacity of many organizations in the face of tremendous need for legal services.

Application of Data to Tahirih: The Tahirih Justice Center has an above-average number of attorneys, but is not dissimilar from other organizations.

7. Question: On average, how many years have they been practicing?

Average Number of Years Attorneys Have Been Practicing				
Less than 1 year	1-2 years	3-5 years	6-10 years	Over 10 years
International Human Rights Clinic	Hispanic Committee of Virginia	Tahirih Justice Center	Lawyers' Committee for Civil Rights	Center for Applied Legal Studies
Hogar Hispano/Catholic Charities		Human Rights First	Central American Resource Center	
		WEAVE	Justice for Our Neighbors	
		Boat People SOS	Ayuda	

Analysis: The average level of experience for attorneys among Washington DC legal service providers for immigrants is 3-5 years. This level of experience means that while the attorneys have modest experience, they are also at the beginning of their careers. Only the Center for Applied Legal Studies has attorneys with more than 10 years of experience, but it is a clinical program of Georgetown University and distinguished in that regard. The relative youth of the attorneys serving immigrants reveals a “new generation” of committed service providers, but it

may also reveal high burn-out rates and difficulties of organizations in retaining experienced lawyers.

Application of Data to Tahirih: The experience level of Tahirih’s lawyers is similar to other organizations. The modest level of experience among Tahirih and other organizations’ lawyers requires continuing professional development opportunities and training to ensure further skills development and encourage their continuation in public interest law.

8. Question: What is the average caseload handled in-house by each of your legal staff members?

Average Caseload Handled In-House by Each Attorney				
Less than 10	10-20	21-30	31-40	Over 40
Boat People SOS	Hispanic Committee of Virginia	Tahirih Justice Center	Central American Resource Center	Justice For Our Neighbors
Lawyer’s Committee for Civil Rights		Ayuda		Hogar Hispano/Catholic Charities
Center for Applied Legal Studies				
International Human Rights Clinic				
Human Rights First				
WEAVE				

Analysis: It is important to note that this question did not ask organizations to distinguish between active and pending cases. Nevertheless, it appears as though, in most organizations, attorneys handle less than 10 cases each. Across organizations, the average number of cases handled by an attorney is 18.

Application of Data to Tahirih: Tahirih attorneys each handle on average between 21 and 30 active and pending in-house cases. This number does not include those additional cases represented as co-counsel with pro bono attorneys. In addition to reflecting high demand, the results are also reflective of the fact that our attorneys manage their cases efficiently with the assistance of paralegals, an electronic case management system, and streamlined intake process that is evaluated annually by the legal team at their retreat.

Utilization of Pro Bono Attorneys at Law Firms in the DC Area

9. Question: What is the general proportion of cases handled by your pro bono attorneys?

Proportion of Cases Handled by Pro Bono Attorneys						
0%	0-10%	10-25%	26-50%	51-75%	76-90%	91-100%
Center for Applied Legal Studies	Boat People SOS		WEAVE	Tahirih Justice Center		Lawyers' Committee for Civil Rights
Central American Resource Center	Justice for Our Neighbors					Human Rights First
Intl Human Rights Clinic	Hogar Hispano/Catholic Charities					
Hispanic Committee of Virginia	Ayuda					

Analysis: The vast majority of legal services organizations do not utilize relationships with pro bono attorneys to provide legal services to their clients, or do so only up to 10%. The two organizations that assign between 91% and 100% of their case loads to pro bono organizations do so almost exclusively, rarely handling cases in-house.

Application of Data to Tahirih: Tahirih is distinguished in the degree to which it leverages pro bono partnerships with DC area law firms. Tahirih co-counsels with pro bono attorneys on over 70% of its cases. The co-counsel relationship is very involved, with Tahirih attorneys working closely with pro bono attorneys to train, mentor, and guide their litigation of complex and often cutting-edge legal issues. Tahirih is also actively engaged in cases referred to pro bono attorneys through the continued provision of case management and social services referrals. Through these pro bono relationships, Tahirih is able to serve significantly more women than if it handled all of its cases in-house.

10. Question: On average, how many pro bono cases does each attorney supervise?

Number of Pro Bono Cases Supervised by Each Attorney				
Less than 10	10-15	16-20	21-25	Over 25
Boat People SOS				Tahirih Justice Center
Lawyers' Committee for Civil Rights				Human Rights First
Justice for Our Neighbors				
Hogar Hispano/Catholic Charities				
WEAVE				
Ayuda				

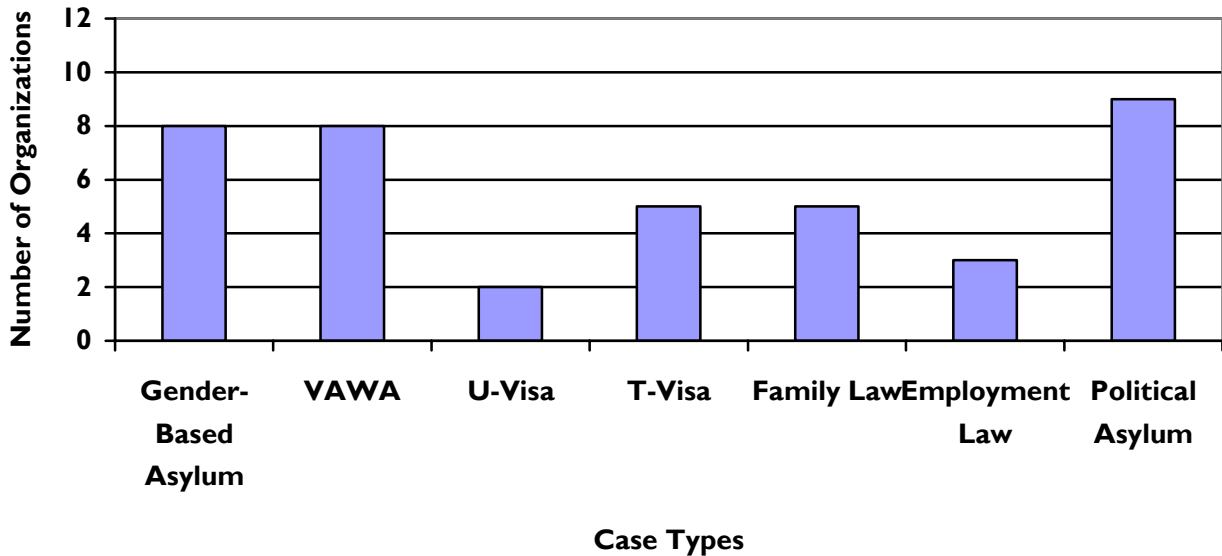
Analysis: Reflective of the total number of cases handled by pro bono attorneys, in most organizations, their staff supervises less than 10 pro bono cases each.

Application of Data to Tahirih: Because Tahirih co-counsels a large number of cases with pro bono attorneys, its in-house lawyers actively supervise a large number of cases – over 25 pro bono cases each. These cases, along with the 20-30 active and pending in-house cases managed by Tahirih attorneys, mean that each Tahirih attorney is handling over 50 cases at a time. Thus, comparatively Tahirih’s attorneys’ caseloads are high. The total number of cases being litigated by the Tahirih Justice Center ranges, at any given time, from 165 to 180.

Types of Cases Litigated by Legal Service Providers

II. Question: What types of cases does your organization litigate in-house?

**Number of Organizations
which Handle Specific Case Types**

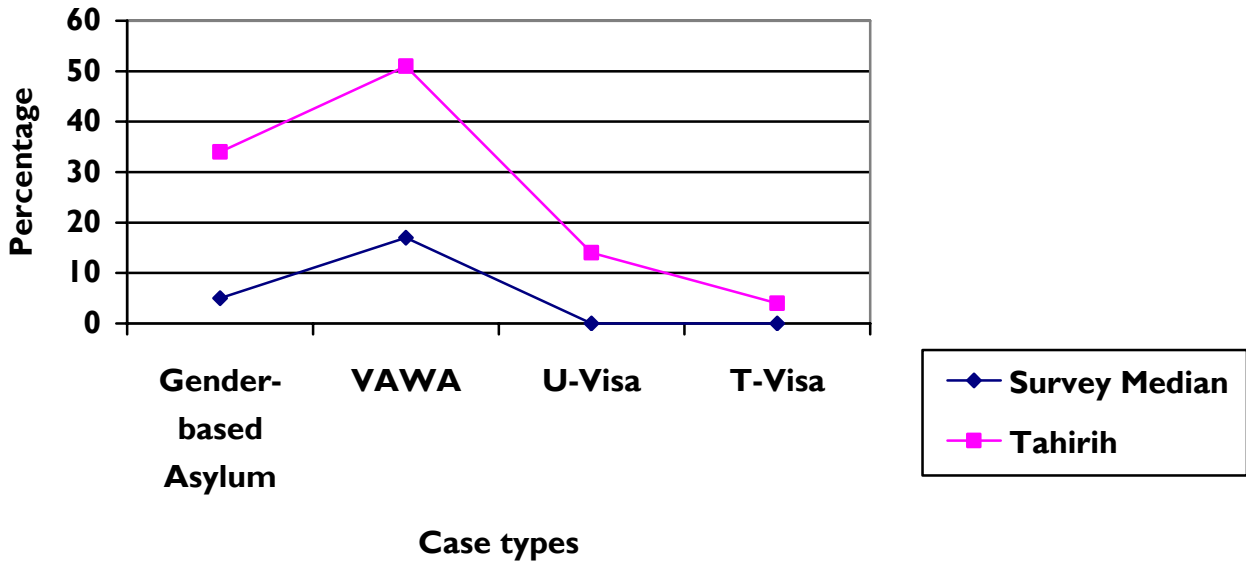


Analysis: Asylum and VAWA cases are the most popular among immigrant legal service providers. Fewer organizations handle T-Visa, U-Visa, family law, and employment law cases.

Application of Data to Tahirih: Tahirih handles gender-based asylum, VAWA, U-Visa, T-Visa, and political asylum cases. With the addition of a family lawyer this summer, Tahirih will also handle family law cases. While Tahirih does not handle employment law cases, it was not an area identified by organizations participating in this survey as an unmet need (see question 15).

12. Question: Please list the approximate proportion of each case type that is handled in-house by your organization.

Percentage of Specific Case Types Handled in House



Analysis: T-Visa (trafficking) and U-Visa (victims of crime) cases comprise a very small percentage of most organizations’ caseloads. While some organizations have caseloads with a significant percentage of any one of these case types, the median percentage for all case types of the organizations surveyed is less than 20%. Of particular note, is the fact that many organizations that reported handling these types of cases do so by referring them out to pro bono attorneys and do not litigate them in-house. Tahirih is one of only two organizations that routinely handle all four of the above case types.

Application of Data to Tahirih: Gender-based asylum, VAWA, U-Visa, and T-Visa are the legal remedies most sought by immigrant women who are victims of violence. These are the types of cases in which Tahirih is expert. Gender-based asylum and VAWA cases constitute 85% of Tahirih’s cases, while T-Visa and U-Visa cases make up 15% of its caseload.

Detention Cases Handled by Legal Service Providers

13. Question: Does your organization handle cases of detained immigrants?

Yes	No
International Human Rights Clinic	Boat People SOS
Human Rights First	Lawyers' Committee for Civil Rights
	Center for Applied Legal Studies
	Justice for Our Neighbors
	Central American Resource Center
	Hogar Hispano/Catholic Charities
	Hispanic Committee of Virginia
	WEAVE
	Tahirih Justice Center
	Ayuda

Note: Although CAIR Coalition did not complete the survey, they do handle detention cases.

Analysis: Very few organizations handle cases of detained immigrants. Challenges regarding the proximity of the detention facilities and case complexity all contribute to why more organizations don't take cases of detained immigrants.

Application of Data to Tahirih: Last year, the Tahirih Justice Center conducted research into the possibility of expanding its work to represent detained immigrants. Learning that a comparatively small number of detainees are women and after considering other urgent issues demanding Tahirih's legal services resources, we decided not to engage in detention work at this time.

Appellate Litigation by Legal Service Providers

14. Question: What kind of appellate work does your organization engage in?

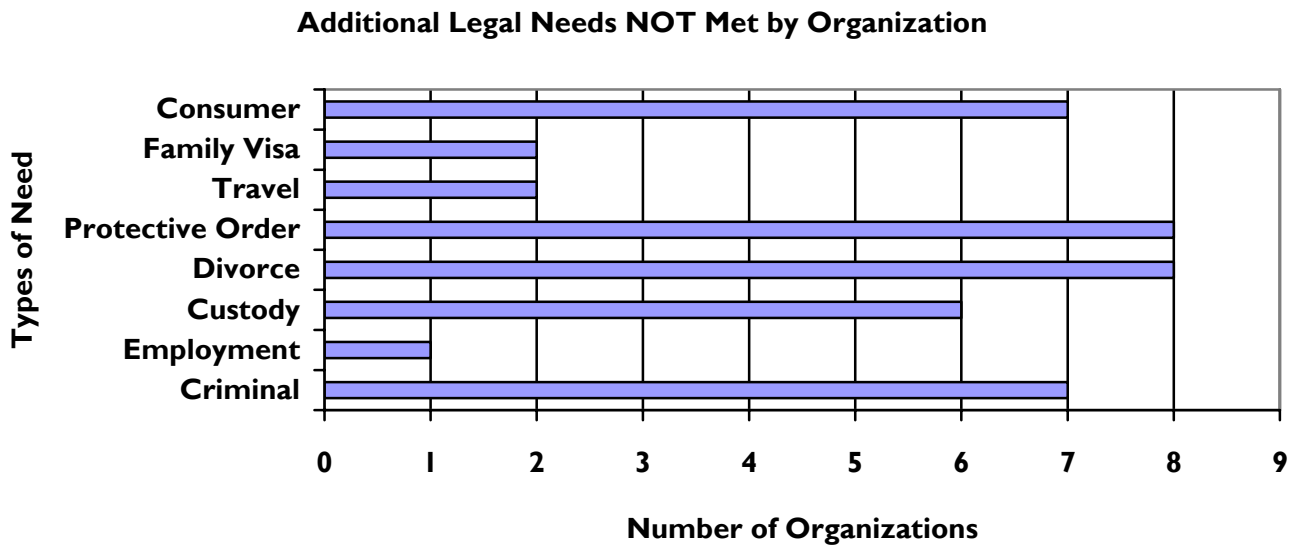
Types of Appellate Work				
State Appellate Courts	Federal Appellate Courts	Board of Immigration Appeals	US Supreme Court	None
	Tahirih Justice Center	Tahirih Justice Center	Tahirih Justice Center	Boat People SOS
	International Human Rights Clinic	Justice For Our Neighbors	Human Rights First	Hispanic Committee or Virginia
	Human Rights First	Central American Resource Center	Lawyers' Committee for Civil Rights	WEAVE
	Lawyers' Committee for Civil Rights	International Human Rights Clinic	Ayuda	
	Ayuda	Hogar Hispano/Catholic Charities		
		Human Rights First		
		Center for Applied Legal Studies		
		Ayuda		

Analysis: While most organizations will appeal a client's case to the Board of Immigration Appeals, few will appeal cases to federal courts. Federal appellate litigation requires particular skills and additional resources. Among the five organizations that engage in federal appellate litigation, three of them are organizations that utilize significant resources outside of the organization (e.g., Human Rights First and Lawyers' Committee for Civil Rights utilize pro bono attorneys to handle over 90% of their cases, and the International Human Rights Clinic at American University is a clinic program that utilizes students). The need for organizations willing to appeal cases to federal court is particularly acute in the current climate where immigration cases now make up 40% of some federal circuit courts' dockets.

Application of Data to Tahirih: Tahirih is one of the few organizations that engage in federal court litigation, including appeals to the Supreme Court. In order to not exhaust the resources of the organization on these complex cases, Tahirih typically partners with law firms to litigate federal cases. This partnership allows Tahirih to engage in pioneering litigation of cases that challenge the boundaries of the law and establish precedent.

Additional Needs of Immigrants Observed by Legal Service Providers

15. Question: What are the additional legal needs of your clients that are not met by your organization?



Analysis: Clients served by many organizations have a wide range of legal needs that the organizations are not able to meet. Most common legal needs are in the areas of family law, criminal law, and consumer protection.

Application of Data to Tahirih: Tahirih's experience is consistent with other organizations and its clients are often in particular need of legal representation in the context of divorce or custody disputes. In response to this need, Tahirih has made a strategic decision to hire a family lawyer who can represent immigrant women in family law matters. Tahirih will add a family lawyer in 2006 which will enable Tahirih clients to receive a wider range of legal services from one organization.

16. Question: Does your organization employ a social worker?

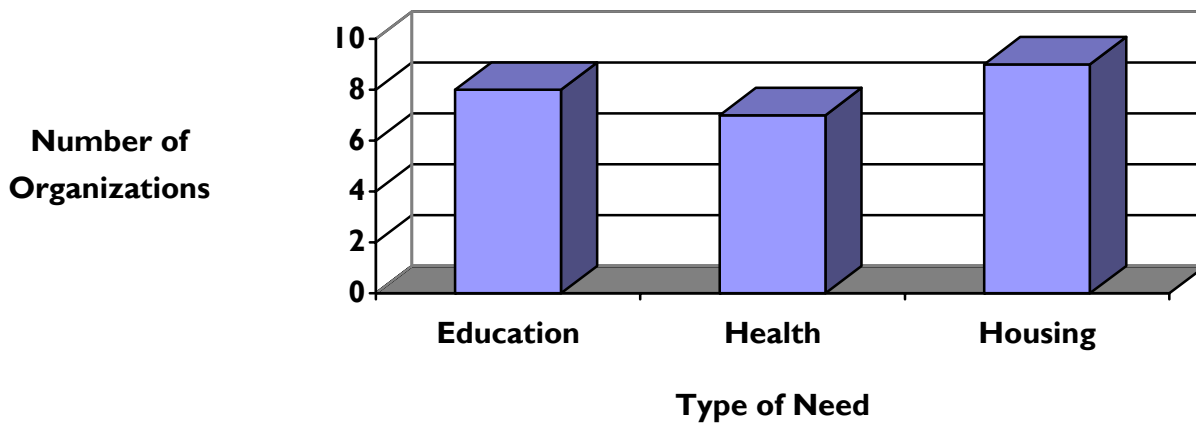
Yes	No
Boat People SOS	Lawyers' Committee for Civil Rights
Hogar Hispano/ Catholic Charities	Center for Applied Legal Studies
Hispanic Committee of Virginia	Justice for Our Neighbors
WEAVE	Central American Resource Center
Tahirih Justice Center	International Human Rights Clinic
Ayuda	Human Rights First

Analysis: Approximately half of legal services organizations hire a social worker to assist in their representation of immigrants.

Application of Data to Tahirih: Tahirih also has a social worker on staff and has found that this position is indispensable to Tahirih’s ability to provide holistic services. Our social worker is critical in enabling Tahirih’s attorneys to efficiently represent clients without having to also address their social services needs.

17. Question: What are the additional social needs of your clients that are not met by your organization?

Subsequent Social Assistance Requested by Clients



Analysis: Organizations widely experience that education, health, and housing needs are pressing among their clients. Housing is the greatest need for every organization; however education and health are close behind.

Application of Data to Tahirih: Tahirih’s experience is consistent with other organizations. Tahirih’s social worker helps clients access educational and housing opportunities. She also works to develop a network of physicians who have agreed to offer medical services for free to Tahirih clients. While Tahirih works diligently to meet these needs, they often exceed our resources. More needs to be done to assist immigrant women in the DC area in accessing educational, medical, and housing opportunities.

Involvement by Legal Services Providers in Lobbying Efforts

18. Question: Does your organization actively lobby on the hill?

Yes	No
Lawyers' Committee for Civil Rights	Boat People SOS
Central American Resource Center	Center For Applied Legal Studies
Human Rights First	Justice for Our Neighbors
Tahirih Justice Center	International Human Rights Clinic
	Hogar Hispano
	Hispanic Committee of Virginia
	WEAVE
	Ayuda

Analysis: The majority of smaller direct services organizations with only 1-3 attorneys on staff are not engaged in active lobbying.

Application of Data to Tahirih: Notably, the Tahirih Justice Center is the only organization that handles cases in-house and has a registered lobbyist on staff to represent its clients' interests.