Integrating Legal Services Within Social Services Organizations: Strategies to Enhance Client Outcomes

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Maria Laura Arabbo (MA): Welcome, everyone. Thanks so much for joining us today for our webinar on integrating legal services within non-legal organizations. We're really happy to have you all here. I want to just introduce myself really briefly. My name is Maria Laura Arabbo. I'm the recently appointed executive director of VECINA. I'm really excited to be here because so much of what we're talking about today is actually something that I'm currently living in as a non-attorney within a legal services organization.

I have been doing work at the intersectionality between refugee and immigrant services and, in general, direct services outside of the legal realm for over 10 years now. I hope that some of what we talk about today will be helpful for you based on a lot of our experiences of our panelists.

Let me introduce our panelists to you. We have a fantastic group of folks today. I'd like to start with Ashley. Each one of them will introduce themselves, but we'll start off with Ashley.

Ashley DiGiore (AG): Hi, everyone. My name is Ashley DiGiore, and I'm the Immigration Legal Services Program director at Westside Community Center in West Chester, Pennsylvania. I'm also our only accredited representative—or really only legal staff. Our community center started as an after-school program and a few other small things and, just, over the years [we] realized that there was a need in the community for immigration services, so we worked to create that. I'm excited to be here and share some of what we've learned.

MA: Perfect. Thank you, Ashley. We'd love to invite Charlotte.

Charlotte English (CE): Hello. My name is Charlotte English. I currently work as a staff attorney at a nonprofit law firm called Tennessee Justice for Our Neighbors, but I worked in a legal department at a refugee resettlement agency for the two years before that. I was the first and only attorney they ever had on staff. I'm on the panel today to speak about that experience.

MA: Great. Thank you so much. Mamadou, if we could invite you to share a little bit.

Mamadou Balde (MB): Good afternoon. My name is Mamadou Balde. I'm the Immigration Legal Services Program manager here at Catholic Charities of Central Texas. Prior to that, I was the Refugee Resettlement Services Program manager, a position I held until February this year. I have been in the resettlement services over the last 16 years, held different management positions overseeing refugee resettlement and immigration legal services, rapid rehousing, and permanent supportive housing for people experiencing homelessness as refugees, asylees, and low-income families. Very excited to be a part of this panel. Thank you.

MA: Thank you, Mamadou. If we could invite Alex Miller.

Alex Miller (AM): Hi, everyone. Really glad to be here as well. I am a senior advisor at VECINA, so I work directly with Maria. I've been an attorney for just about 11 years now. Started initially in corporate legal work in New York and moved home to Tucson, Arizona to work in the immigration justice space. I worked initially at the Florence Project, which is a local detained legal services nonprofit. Then I spent some time with IRC working directly in this context of how to build out legal services in an effective way at a resettlement organization and to better integrate those services. I've been at VECINA now for just about a year and a half, and I'm really glad to be here today.

MA: Fantastic. Thank you, Alex. Let's get into a little bit of the learning objectives that we hope you will walk away with at the end of this webinar. The first will be to identify the benefits and the challenges of embedding legal services programs within organizations that have broader community mandates. Of course, the next will be to help you explain the solutions or [to try] to explain the solutions collaboratively to some of the key challenges that often come up to these legal departments that you can often face when you're operating alongside other refugee service programs.

Then, lastly, we'd love for you to be able to apply what you learned today. We're going to have some key takeaways on ethical communication, referral coordination, and role clarity, and organizational support when embedding legal services within social services teams. Okay.

MA: Now, if you're new to these webinars, we're going to be doing something called Slido. Really, we're going to do probably a couple of these. To kick off this topic, we'd really like to hear from all of you. Go ahead and either use the QR code to interact with this Slido tool. It's like a little survey that we will share together. You can also put in the information if you go to slido.com and write in the number 1862701. We'll be able to kick off with this very first question: In your experience, what are some of the main challenges surrounding legal services departments embedded within social services organizations?

We are really here to learn from you, and we'd love for you to share some of your responses. Perfect. Let us know, of course, throughout if you have any trouble with any of our technology today. We'll be able to support. All right. I'm seeing lots of different answers, though many that we can relate to. Money and buy-in, absolutely. Confidentiality. Dividing and managing time-limited resources around many different needs, of course. Clients feeling like they can go to immigration staff at any time. I have definitely heard of that.

MA: Constant referrals and limited capacity. We're definitely seeing a theme of limited capacity, and we know right now there's a very high need for legal services referrals. Internal problems, lawsuits threatened. Wow, there's a lot here. Fuzzy boundaries, determining agency priorities. There is a little bit of that challenge between incorporating the legal and the non-legal space that I'm seeing. I will absolutely notice that capacity and funding is quite high in what we're seeing from all of you. Liability, I know, is a risk and something that we're all keeping in mind.

There's definitely a lot of confluence between our audience members in what you're experiencing as some challenges to incorporating these services within non-legal services organizations. Thank you so much for continuing to share. Expectations from non-legal staff. I can say, of course, as a non-attorney leading an organization, I lean a lot on my legal team to support my learning curve in this process, especially at this heightened time. It's great to see that many of you, I think, are dealing with some of the challenges. We hope that our webinar will actually address some of these questions or at least allow for some dialogue and some answers to your questions. Thank you. Okay.

MA: Now, we just focused a little bit on the challenges. Let's now focus on this new question, which is, in your experience, what are some of the main benefits you see of legal services departments that are embedded within social services organizations? Once again, you can use the QR code, or you can join at slido.com. The number is, again, 1862701. What are some of the benefits you see from having legal services embedded?

We'll give it a couple minutes. Great. I'm seeing lots of great answers. Potential additional funding options, absolutely. Streamlined services, referral from other programs, network of wraparound resources to address client needs. I really love this. Understanding the client's unique needs. We will actually talk about that a little bit later. Accessibility and trust.

MA: Of course, community support, holistic support, less client anxiety. These are great. I'm really glad that we're focusing on the positives as well as the challenges to give us a [broader] approach as to how these experiences are playing out in your organizations. More hands to help. One-stop shop for clients. Clients get everything in one stop. That's fantastic. It looks like between services, and there's also just the client support and the trust that you build with clients, many of you are echoing those same experiences. Trustworthiness. Perfect. Thank you. Thank you for engaging. Appreciate it.

We're going to talk so much about this. Let's dive right in. Ideally, why is it that we want to provide legal services to organizations with a broader mandate? What drives us to do this? We've identified—I'm sure there are many more—but three different reasons why we believe that this is a really important aspect of the work. We'll call on each of our panelists. Community trust, integrated services, and trauma-informed care. To speak a little more about community trust, I'd like to invite Ashley.

AG: Hi. Yes. Thank you so much, Maria. Community trust is a really big part of establishing a legal services organization. We saw that firsthand. The reason we actually created the legal services program at Westside was because we had our after-school program, and parents would come to us with questions about immigration because they trusted us. They saw the good work we were doing with their kids, saw we were providing a safe place for their children. They would ask us immigration questions that we wouldn't know the answer to. We didn't know anything.

Once these questions got asked enough, we saw that it was a need in the community, both for the legal services, but also for them to be provided by somebody trustworthy, somebody that they know isn't going to take advantage of them, waste their money, or even charge them a million dollars, or anything like that. Just really having that trust within the community has helped. Then, of course, we're seeing that we're building trust with our clients within the legal services program.

Then we're seeing the opposite. People then asking us, "Oh, well, what else do you guys offer?" We're able to refer people back to our other program. It's a nice, happy little circle.

MA: Thank you for sharing that. I think that echoes a lot of the responses we saw in our previous Slido as well. Thank you. To talk a little bit more about the wealth of integrated services that can happen, I'd love to invite Mamadou in for the conversation. What has been your experience with what it's like to have integrated services and why this is an important mandate?

MB: Thank you, Maria. This is extremely important when we know that the people that we serve, whether it's in the retirement services or in immigration legal services, they come with a wide range of needs. Having a one-stop shop, as somebody mentioned in the Slido, is extremely important. What does that do? It helps facilitate access to services. We know that non-legal staff play a significant role in helping the legal team provide these services.

When you have the non-legal team providing this management support, coordination, documentation, all these are type of services that the legal team need in order to facilitate access to legal team. While the non-legal team do not provide legal matters or representation, [they] provide these support services, which really help clients access these all-wraparound services to build that trust between the organization, the client, and even the broader community. That's very important.

MB: The other thing is, really, it's client-centered.

Instead of going to different organizations, talking to different people, when you have all this in one area, it's a centralized, streamed process, it makes access easy. You count language access, you name, other wraparound, like, for example, housing, medical, social services in general, benefit navigation… All these make that process easier for client.

Again, you will have then early intervention. For example, if client have all these issues while working with these different teams, whether it is the social service team, the navigation team, then they get to identify what really is priority for the client, because they all do not have the same priority, the same need. That early access, that early intervention makes the process easy and makes the client experience also very successful with the agency.

MB: Final thing, it also helps client trust the services, trust the providers, even when the expectations are not met at the level they want, because sometimes some of these services take longer than anticipated, especially when it comes to legal services. Having that [trust] will help the client manage their frustration, help them manage the distress, and also be hopeful about the future of their services.

MA: That's wonderful. Thank you so much for that very detailed explanation of why it's really important to have integrated services, especially when we're looking at caring for the clients we serve, which is a natural segue into trauma-informed care. It isn't just that the services are integrated, but it's the ways in which we do that. I'd love to invite Alex to speak about trauma-informed care.

AM: Happy to jump in here. Important to flag that I am by no means an expert myself on trauma-informed care. Of course, this requires a full dissertation. At base, I want to start with what is trauma-informed care? It's the recognition that many of our clients have experienced significant trauma, and that when we're preparing and thinking through how to best provide services for them, we need to incorporate our knowledge of that experience and to make sure that the services we provide are appropriately contextualized to avoid re-traumatizing our clients and to ensure that we're able to give them the actual level of services that they need.

Of course, that's incredibly hard with limitations on capacity and funding, which was flagged in the Slido in all of your responses as well. Integrating legal services helps us to provide better trauma-informed care in a number of ways. I think as an attorney, one of the main ways is that it reduces the need to re-traumatize our clients. Legal services, especially when we're talking about refugees or asylum seekers, can be really traumatizing for our clients. They have to talk sometimes about the darkest moments of their lives.

AM: To be able to collaborate with and partner with social services, psychosocial support, et cetera, and also to be meeting with people after they've received that baseline of humanitarian support means that folks are better able to show up for their legal cases. Also, we don't need to dig quite as deeply into things that they've already shared within the institution. Legal services and social services, in that way, can be mutually informed to provide better trauma-informed care for our clients.

MA: Absolutely. Thank you so much. I know this was already flagged in the Slido by many of our participants as an important aspect of why we want to provide these services within our organizations. Now, I would love to talk about what are some of the challenges that arise from providing legal services within a social services organization. Again, because of the incredible experiences you've all had on this panel, let's go ahead and bring a couple of you in.

I will flag lack of support and oversight infrastructure, of course, non-attorney management, as I mentioned, even with my own personal experience at VECINA, and something that can often occur can be departmental silos. I'd love to invite panelists to share their experiences around some of these challenges.

AM: I can jump in with maybe the most boring of the challenges to get us started. The baseline infrastructure required for legal services institutions is different than the infrastructure required for legal services institutions. Especially if you're starting out from scratch and don't have legal services framework, you might not be thinking about malpractice liability or making sure that the professional development or licensure requirement infrastructure is in place at your organization, or what kind of supervision for attorneys or accredited representatives or other legal staff is really required to make sure that the organization isn't incurring liability that could undermine broader services.

MA: That's a very important point to bring up. Charlotte, I'd love to call you in, given some of your fantastic experience that you've had, to talk a little bit about some of these challenges that you've experienced yourself.

CE: Thank you. I went to work at a resettlement agency, working in an immigration department that was already established, and it was run by a DOJ-accredited rep. They had never had an attorney on staff. Yes, I was talking to management about, "Hey, I'm going to need malpractice insurance." I was the one researching, finding it, sending them the information, seeing how they tracked stuff as an immigration department currently on the services they provided, and then, for myself, modifying that a little bit with the work I was doing because I just felt like there needed to be more recordkeeping and things like that. It was definitely an educational opportunity for them to understand.

I was excited to step into it and work with that organization, but there were things I had to be very specific about that needed to be in place for me to feel like I could do my job there. It was when I left to go work at a nonprofit law firm, they were not able to bring in another attorney to replace me. I've also navigated that because people track you down, even though your clients find you when they're still trying to get help.

CE: There have been some challenges to all of that. I do think having the legal services within the social service organization is really important. None of the clients we're serving have citizenship in the U.S. Everyone arriving, no matter on what terms, has to file something and need immigration legal services in some capacity. I think having somebody on hand, on site, even if it's just to consult and advise, even if you're not going to take them as a client, is really important.

MA: Thank you. Thank you for sharing that and for bringing in that previous experience. I think we've had a comment [that] attorneys can sometimes be a little bit wary of having social workers involved in events and issues that arise with mandated reporting. I think that can absolutely be a challenge. It's a perfect segue into talking about non-attorney management. Mamadou, I'm wondering if I can bring you into this given your role at Catholic Charities.

MB: Absolutely. I am a non-attorney managing legal services. It’s extremely challenging. Talking about that my own experience here is, for myself and also for the rest of the team, one of the challenges that I see is the role confusion. Clear understanding of legal and non-legal staff responsibilities. Sometimes, when you work for many years in the social services, you tend to have that compassion.

It's all about the client. It's all about finding help. When it comes to the legal services, it's extremely difficult. It's very strict. You have to make sure that you follow that requirement, that guideline, about what to say or not to say when providing legal services. That ethical compliance between confidentiality and referrals and so on, sharing information, is very important.

MB: As a non-attorney managing legal services, my role will be really to support staff in what they are doing. However, when it comes to legal services, I have to rely on my attorneys, I have to rely on a DOJ representative. In addition to that, the attorneys themselves, given even the current situation, they need advice. They need to consult with each other. What we do is we try to join other legal affiliates, to be a member of those legal affiliate organizations, where our attorneys can interact with other attorneys, other organizations to make sure that they get the support they need and the information they need to have in order to do their legal work in the best possible way. That's extremely important.

The other thing would be, at [an] agency level, is to make sure that we have clear rules and policies and protocol for effective coordination between the legal and non-legal teams.

MA: That's perfect. Thank you. I know we're going to go into this in a little bit, but yes, you basically alluded to the departmental silos that can often occur between legal and non-legal teams. Let's go ahead and get into a case scenario that I'd love to share with you. Then we'll dig into what are some of our panelists' ideas on this.

Bailey is an accredited representative at a resettlement organization. An immigration attorney supervises her, but they are the only two members of the immigration department. Now, the team received a referral from a case manager who has been working with the client for over a year. The case manager referred the client over a month ago when he realized that a family member had been placed in removal proceedings. The case manager would like an update on the case and is frustrated that he has not heard back from the legal team yet. The client also told the case manager that they haven't heard from the legal team.

MA: Despite a two-month backlog, Bailey was able to prioritize screening for this case referral within two weeks in the client's primary language. The in-house legal team primarily provides ORR-funded legal assistance, although they have limited private funding to support legal assistance outside of the scope of federally funded resettlement services. The limited private funds permitted Bailey to screen the case, but the legal team does not have capacity, nor the appropriate funding, to take on complicated removal defense cases. Instead, they provided the client with external referrals.

Further complicating things for Bailey, the family member is in removal proceedings because of a conviction they did not want disclosed to the caseworker. Now that we've gone over a fairly complex but probably not unfamiliar case, if maybe we could have Alex or Ashley share a little bit about what do you think are some of the successes or the challenges from this particular scenario?

AM: I'm happy to jump in first. I think one success I'd love to point out because it's something that often goes ignored but is absolutely fundamental is language access. It's fantastic that they're able to prioritize those limited private funds or alternate funds to get the referral screened and that they had the capacity to do that in the client's primary language. I think that's really exciting and not always possible.

The challenges, however, are pretty tricky with this one. I'll just think of one off the top of my head. I think the tension between funding streams, especially when you look at organizational structure, it's not always that frontline staff understand where the funding is coming from, what the limitations of that funding are, and how that impacts the services that they're able to provide, especially across departments.

That is a huge challenge, but also an opportunity for thinking through what kind of transparency and what kind of information sharing across organizational ranks is critical to make sure that we're able to build trust and understanding across departments.

MA: Ashley, is there anything you'd like to add to that, given your work?

AG: Yes. What really stuck out to me was just the communication throughout all of it. It's great that they're communicating internally and referring clients to each other, but then you have to maintain confidentiality, but people still want updates. Just navigating, making sure that everyone's on the same page within the constraints that are allowed. It seems like communication somehow dropped in that second paragraph.

It would have been great for Bailey to maybe let them know like, "Hey, we're screening them next week" or something very basic. However, also I've learned the more people involved… We've got Bailey, we've got the supervising person, the case manager, the client, the family member. That's five people. Things end up getting lost. It seems like maybe Bailey did screen the client and talk with them, but maybe the family member didn't tell the client. It's just a lot. Also managing the cooks in the kitchen and just making sure that, who's important here, who needs to know things, and then just making sure that that communication happens within what's allowed and what's not.

MA: Thank you. Thank you for bringing up a point that many folks talked about, which is capacity. I think capacity can sometimes get in the way of what we might expect or timeliness. These are really important factors to contextualize the work that we're currently doing. Next slide, please. All right. Because we'd really love to hear from you, and we have lots of participants, please, once again, join our Slido, QR code or the number 1862701.

The question right now will be, what aspects of your role in your organization do you find most challenging? Absolutely. Maintaining a healthy work-life balance. That's a great one to start us off with. What else? What else do you find most challenging in your work? Maintaining boundaries within our roles and limited resources. Yes. Finding a way to do what's right in a timely fashion while simultaneously understanding that we're human and we need to have a life outside of our work. Capacity to provide all the services and know when you have done everything possible. Explaining the urgency of legal matters.

MA: Hitting a limit with how we can advise clients as we're not lawyers and don't have legal help in-house. Such an important point. Advising clients and staff in complicated legal situations. Multiple roles. Fundraising. Case management. Supervision. Goal setting. Absolutely. It's, again, the complexity and the capacity matter that keeps coming up in all of our conversation today. Getting a response from folks, probably due to capacity, potentially. Then, of course, not being taken into consideration as a helper and legal staff taking over social work activities.

I will say that even in my short time at VECINA, I have definitely noticed some of the challenges that can arise between the world of accredited reps and legal service providers and having a flow of communication between the two types of staff that we have. I echo that. I see that as well. Supervision and limited resources. Once again, guiding, coaching versus making decisions for families. Such an important point and a point that we can really speak to. Trauma-informed care and how you have these conversations in a way that really puts the client first, absolutely. Being up to date with immigration status changes. Yes. Making sure that you set aside time within limited capacity for that.

MA: Okay. Let's go ahead and thank you for that. I really appreciate it. Let's go ahead and get started with how we turn these challenges that you all mentioned into possibilities and opportunities. The first will be lack of oversight and support. Some of the things that we believe can be helpful in turning this challenge into a learning opportunity could be to consult with law firms or legal service providers. I know at VECINA we do a lot of work in training individual organizations—through Switchboard, actually—to help them process some of this work. Also, building out compliance checklists. For that, I'd actually love to bring in Ashley, if you could talk a little bit about that piece.

AG: Yes, absolutely. This is definitely one of the hardest or biggest challenges for me within my role. We don't have in-house oversight or support. Our legal program is [me], essentially. We have hired an admin person for some support but going into this and not knowing all the things was tricky. Like Maria mentioned, finding legal service providers, technical assistance providers, I think is very important.

There's a lot of them out there. Just finding which organizations make sense for you, which ones you can afford if there's a fee, and which ones are maybe focused on the type of work that you're doing. Also, as an accredited representative, in order for our agency to be recognized, we need to either have a supervising attorney or we need to be connected with a TA provider, such as CLINIC [or] World Relief. I'm sure there are others. Those are just ones I'm familiar with. Just finding the one that's right for you, that's going to be able to provide the most support.

AG: Then just reaching out and getting to know the network within your area. I have found that sometimes it's hard as an accredited representative. Sometimes attorneys don't want to help or communicate or support us, which is such a bummer. There are also, for everyone that doesn't want to be our friend, for lack of a better way to put it, there is someone that would be more than willing to help. Just really building connections and support and all of that part of your plan from the beginning, I think is so important.

I started doing it at the beginning and then just got lost in the mess of it all. Now, this is something I'm really realizing. Making sure as you're developing a plan to start legal services, connecting with all those people around you, because even if it's a housing organization, they might know a law firm or a lawyer or someone that you can get connected with and get some support from.

MA: Fantastic. Thank you for sharing that wealth of experience you've had personally with your work. Then, of course, how do we turn non-attorney supervision, which can be a challenge, into a learning opportunity? We believe relying on a technical unit can be helpful, as Ashley, you mentioned. Assigning oversight to the legal director, provided you have a legal director, and, of course, outsourcing technical assistance. I'd love to bring in Mamadou for your perspective on this topic.

MB: Okay. This, again, speaks to me because I'm not an attorney, by all means, but work with attorneys. This is a very important aspect of our organization. They started with providing legal services for many years before adding other social services. Now, with the legal team, as I think it was just mentioned, as a non-attorney providing the supervision, I see the staff in workload distribution, performance evaluation, and direct legal services assignment, case load, and so on. When it comes to the legal services, again, we have to make sure that we work with the team that are trained for [those] services.

MB: Supervisors, as myself, I have to make sure that our attorneys have sufficient resources. That means outsourcing, connecting with other legal providers, as CLINIC, as immigration law centers, so that they have the membership to participate in their trainings and have in-house training for legal assistance, for DOJs, because we are lucky that we have two staff attorneys that oversee the DOJs and also the legal assistance.

We have to make sure that we have that cross-training within the teams, but also invite outside specialists to train our staff when it comes to the legal services. The other thing also would be then to make sure that we participate in all other legal trainings that are provided by organizations that work with our legal team prior even to having refugee services or other social service providers. That is an ongoing process.

One thing also we do is to provide funding to our legal team to make sure that they participate in training outside, even out of state, to make sure that they are able and get updated information on immigration matters, and so on and so forth.

MA: Thank you, Mamadou. That's very helpful. It's great also that you are so supportive of almost—across departments. It's fantastic to hear that Catholic Charities. For the next "Turning Challenges into Learning Opportunities," I'm going to bring in Alex to talk about departmental silos. One of the things that we really believe is that, just as, I think it was Mamadou who shared earlier, clarifying the scope and the mandate of each department and making sure that we understand where roles and responsibilities lie, and also establishing a clear and transparent referral process. Alex, if you could speak to that.

AM: Yes, happy to jump in. You look at nonprofit staff, and people are so mission-oriented and client-focused. They absolutely want to do what is best for their clients, and for the community that they serve. There's an inherent tension between that desire to do the most, and the reality of the capacity limitations on these institutions. That makes it really easy for staff to lose the thread, or lose the context, lose sight of the big picture and the limitations that might be impacting people across departments.

Ways to mitigate that challenge are through strong institutional leadership and effective processes, making sure that there's transparency between teams on what the capacity is, what limitations on types of cases, or types of services they can provide, and making sure that the referral process builds in that information, and that knowledge. Organizational leadership has a responsibility in this context to make sure they're sharing information across teams, to ensure that folks understand those limitations, have empathy for their teammates, and are able to effectively serve their clients to the best of, I'll say their capacities, because I know that we all want to do more.

AM: Unfortunately, in the current context, it's incredibly hard. One last thing I'll say before we move on to the next is, feedback is incredibly important. Nothing is ever going to be perfect. Ensuring frontline staff have feedback loops that they can feed into, to ensure that those processes and mechanisms are able to shift and change and adapt to better meet client needs is absolutely critical.

MA: Absolutely. Thank you for highlighting, especially that piece about feedback. It's important and often hard. Often hard when we're all running in at a thousand miles a minute. Another piece that was already highlighted, both in our previous experience with Bailey, but some of you highlighted in our survey, is just funding tensions.

Funding tensions are very real. We find that if you highlight departmental interrelation and client impact, which Mamadou spoke of earlier, you can sometimes even then take that to leverage those opportunities for even collaborative fundraising, or taking certain funds, and allocating it to certain departments to make sure that folks are up-to-date, like Catholic Charities was doing with their legal team.

Lastly, like Bailey in our scenario, acknowledging federal private funding slip and differing service requirements or limitations, speaks a little bit to what Alex shared around communication, and making sure that everyone in the organization understands where they lie within some of these funding tensions. I know, Charlotte, you mentioned a little bit about this. If you could share a little more.

CE: Sure. I was hired to join an immigration department that was existing. They provided just flat-fee immigration services. With the influx of Afghans and Ukrainians, they had federal funds to support legal services to help those parolees. That was very specifically what I joined that organization to provide. That really-- That dictated who my clients were largely, and the people that I could support.

It **[inaudible 00:43:30]** because I couldn't. I would, **[inaudible 00:43:36]** with them, but as far as providing legal services, I was really confined by the funding, which initially was pretty broad and then kept tightening up. In that too, it's hard to explain sometimes to caseworkers within other programs at your organization.

CE: Then, there are a lot of legal needs that people's clients have, that if you're the attorney in the building, they want to consult with you on lots of matters that might not even be immigration-based, but different kinds of legal challenges that they're facing. It's always-- Especially, for me because my role was so tied to the funding, it was challenging because, like Alexandra was saying, we're also mission-driven, and you bring me somebody who needs help, I want to help them kind of thing.

I think the other challenge I saw was, if I couldn't do it due to the funding constraints, or capacity, it's sometimes really hard to find other referral sources to refer people onto, because other organizations that might do this at no cost or low cost legal services, they're largely at capacity. If it was work that I just didn't do, like our example with the removal defense work, it's hard to find people to refer to that are able to do that at a discount, or no cost. The dollars and how to pay for the services is just always a challenge.

MA: I believe everybody's probably nodding their heads to this comment, Charlotte. It's very true. Last, but not least, of course, you've mentioned it, it's been mentioned a lot, lack of capacity. What are some ways that we can turn this challenge into a possible learning opportunity? I'd love to bring Alex in to speak about creating processes, and leveraging outside resources and partnerships.

AM: Yes, this is one of those painful ones, I think, to Charlotte's point. One of the main strategies when there's lack of capacity is external referrals. We've got that listed right there. We know that so often our partner organizations are also at capacity, are also subject to those same funding limitations. I think also thinking through beyond nonprofit organizations, what does the broader landscape look like?

Are there people who might be able to afford low bono support, or are there pro bono programs that are specifically feeding into the types of services that those clients need? How can you create effective triage systems to try to strategically prioritize those individuals whose needs are most urgent? I know that, that's something that all of us are looking around and trying to figure out right now.

AM: I think also thinking through the internal processes. I alluded to this in departmental silos. Referral processes are really critically important, and transparency and communication across teams. Building out that institutional infrastructure takes a lot of effort and time. As we see services expand, it's often that institutional infrastructure that is ignored because it feels the least mission-critical. It feels the least connected to client needs.

Failing to build out that infrastructure will ultimately impact your ability to effectively provide services. While it doesn't feel or seem most urgent in the moment, it's really important to make sure that, as an institution grows or expands service provision, that the infrastructure is being built at the same time.

MA: Absolutely. You're right. I think we are so focused on taking care of our clients that we can sometimes forget the many processes in place that we need to keep in mind as we do that. Thank you so much to all of you for sharing. Now, let's go on to our case scenario, back to Bailey, and let's see where we find our Bailey.

Bailey reached out to the case manager to address their concerns. They flagged that as an internal referral, the case referral had been prioritized, and that they screened the referral within two weeks. Bailey highlighted attorney-client privilege, and said that they were unfortunately unable to provide further details about the case. Bailey then reached out to the client to clarify the scope of engagement, and to reiterate that they would not be able to take on the case.

MA: Bailey then asked the client to sign a form granting the organization limited permission to disclose case details solely for the purpose of referring the case out to organizational partners. The case manager remained frustrated that the case did not seem to be moving forward based on the information shared by the client. Bailey reached out to the organizational leadership for support to help set appropriate expectations for other departments.

Now, I'd love to pose this to Ashley or Charlotte, whichever of you would like to jump in, but what are some of the tensions here between the legal department, and the case manager? What went well. and what could have maybe done better?

AM: I think that Bailey did a great job reaching out to everybody, and setting expectations as best she could. Then, it is frustrating when even when you do that, and then people still don't seem to understand. It mentions that she reached out to organizational leadership, and I just hope that they were able to support depending on the size of the organization, the background of the leadership, people, or person in leadership positions. That might be helpful, that might not be helpful. She might have to do some educating there, but just really making sure that communication is happening as best as possible, is really awesome.

MA: Charlotte, is there anything else you'd like to add of maybe what could have been done differently?

CE: I'm going to leave my video off, because I think it was-- You all were having trouble hearing me earlier, so I'm going to see if this works better. Now, I think Ashley covered a lot of it. I think it's always a challenge for attorneys when you have to keep that confidentiality. I think Bailey was very communicative.

Sometimes it's an ongoing conversation with the organization about just the constraints you have as a legal department, as an attorney on what you can and can't disclose, what you can and can't take, and that we're all working as a team to try to get someone referred to, someone who can help them with their situation. Sometimes you can't give every little detail.

MA: I've definitely experienced that. Thank you so much. Let's go ahead, and in the essence of time, let's move on to what are some ways to overcome some of these structural challenges? We are looking at two different angles. There are many more, but this is what we're focusing on at the moment. Organizational support. What are some ways that workplaces can better support ORR-funded immigration legal programs within social services organizations?

I think, like in our case study, organizational leadership has a very important role to play in helping navigate some of that interdepartmental tension, the setting of expectations, and creating clear processes with respects to the intake, the referral, the client support. It helps when you have strong relationships between departmental staff and organizational leadership. I think that's really critical in navigating some of the inevitable tensions, especially when we're looking at lack of capacity.

MA: Of course, we have role clarity. How can departmental roles be clarified to increase transparency, and improve inter-departmental understanding? Let's be clear, for lack of a better word, it's critical that there is some semblance of role clarity. Nonprofit organizations are generally understaffed, certainly underfunded. As Alex mentioned, mission-driven at all costs.

It's really critical that each department's mandate is as clearly defined as possible, and clearly communicated, and also revisited. There's a lot of pivoting that organizations have to do in heightened times. Making sure that there's a lot of opportunities for reevaluating, and re-establishing new roles, and new defined roles. Cross-departmental training can also really help bridge this gap, and create a lot of mutual understanding between the departments.

Let's go back to Bailey. Bailey's supervisor escalated the issue with the case manager to their deputy director. Upon review of the situation, the deputy director decided to implement departmental highlights in staff meetings with presentations. They also updated the website descriptions of each department, which were outdated. Okay. Sorry, go ahead. There we are.

MA: This webpage was also updated to include information about referrals, granting department heads the ability to make updates in real time. Sorry, waiting for the next piece. At the next staff meeting, the staff also received an update on ethical duties related to clients, including the information about client confidentiality within the legal department. What is the role of organizational leadership in building more functional collaboration among departments and staff? Mamadou, if you could just briefly share what your experience has been.

MB: Getting the video. I'm sorry. Okay. All right. There is no doubt organizational leadership has an important role to play in navigating these different tensions, whether it is staffing, whether it is funding, or misunderstanding between departments. It's extremely important that the organizational leadership work closely with department leadership in definitely identifying these areas of tensions, but also work on solutions.

For example, here at my organization, one key thing that we have done is to make sure that we establish clear structures and protocol for all departments. That's extremely important. The other thing is, we encourage regular cross-departmental meetings to share challenges, case reviews, so that we are all-- We try all to be on the same page as much as possible. Even though it's not all the time possible for everybody to be on the same page, but that's extremely important.

The other thing is [to] try to provide training and professional development to different departments, because each department will try to work on their best, thinking, "Okay, this is what I have to do, this is what I have to do." Not knowing that, because we share client, it's extremely important that we know what is going on within each department, so that the collaboration is not that I defend my part, I don't care about the rest. We have to be client-centered. We have to use client-centered approach for that coordination, for that collaboration among department.

MB: Final is also for the leadership at organizational level is to make sure that they think about the funding. We keep talking about funding, it is central. We all know that we talk about lack of capacity, lack of funding, but in order for department to function correctly, they should have the support of the organizational leadership. I think we will talk about that maybe coming later.

When it comes to funding, it's extremely important, because we are limited in what we are doing. We have to make sure that we diversify our funding to make sure that we can use that to work with the different program as appropriate as possible. If we have federal funding, or local grant, or philanthropic fund, we have the discretion to use that different type of fundings to support the client wherever we see the need, or to adjust staffing wherever we are able to do.

That's extremely important, these two, the funding and the staffing. We have to have the flexibility to do that. The only way to do that is when department have the support of the organizational leadership in fundraising, in asking for grant through, some organization call that advancement, some call it development. These departments that are outside of the direct service delivery, they have to be involved. They have to be connected with the direct service department. In order to deliver a successful service to a client, regardless the funding stream we use.

MA: Thank you, Mamadou, for sharing that really important distinction. Again, I think open communication [when] it's possible and ethically viable is so key. Also, I've heard a lot today about folks wanting to make sure that there's just cross-communication, and understanding and training of what each of the other departments does. Thank you for sharing that not just from the departmental space, but also from the financial space. I appreciate that.

Let's go on. We're pretty much done here. We're hoping to jump right into involving you a little more, and hearing from you using our Slido. Once again, 1862 701. What is one concrete action you can take to strengthen collaboration between the legal team, and other teams in your organizations? Of course, this can be something we talked about today. This could be something you're already doing that we haven't addressed.

MA: Once again, what is one concrete action you can take to strengthen collaboration between the legal team, and other teams in your organization? [silence] Team building or social activities to create connections. We didn't talk about that. For some of us who are remote like VECINA is, this is actually a really important aspect of our work. Communicate, discuss our needs. Absolutely. Couldn't echo that more.

What else? Discussing systems and processes to streamline access, services, and wraparound support. Absolutely. So important. Building mutual understanding of each team's work. Very much so, and that can happen in a multitude of ways, whether it's through training, whether it's through more ongoing conversations, whether it's additional meetings that are hopefully productive. Create a monthly meeting space to discuss respective work and possible overlaps.

We have found-- We meet every other week and we find, I at least hope that our team… But I know we find our time together really important to better understand what each of us is doing since we're not able to meet on a regular basis. Legal memos. That's a really fantastic idea. We haven't actually used that, but I'm very curious to learn more about that, and to maybe discuss that with Alex, our senior advisor, when we're done. Process map to improve services and create understanding. Very much so.

MA: Creating mutual understanding of each team's work. There's definitely the throughline here in your comments about how we can have better understanding of the work that we're doing across departments. Recruiting a lawyer to serve on a board. I suspect there are quite a few available who would want to do that. That's a fantastic idea. Just to help better align the organization, and have legal access easily.

Following up and common seminars. Maybe this can be helpful, and hopefully you'll receive the video, which we'll send out within 24 hours. You can maybe share this with your team for those that weren't able to attend. Thank you so much for giving us your feedback.

MA: Now, I'd love to open it up for Q&A with our panelists. We're going to go ahead and bring in some of their voices. Let's see what we've got.

I'm seeing, what are some acceptable practices around charging clients who do not qualify for free services? Providing free services for clients versus those that are eligible under special grant funding. It's that question around the funding piece. Feel free to unmute and share a little bit.

AM: I can jump in here quickly. I think this is a really hard question. Most of us are serving communities that are cash-strapped, and are not able to afford hiring their own attorney. Figuring out sliding scale, what sort of fee services are appropriate, can be really hard. I think this is a place where you can start by consulting with individuals in private practice to see what the going rate is, to see your outside bound.

Then, creating triage processes to better understand capacity to pay, and how to funnel clients into—or to segment clients based on ability to pay where possible. It's really hard because, ultimately, what we want to do is to be able to provide the services that our clients need without charging them. Ultimately, we also need to be sustainable, institutionally. If we're not thinking through multiple funding streams, multiple approaches to that sustainability, then we won't be able to provide any services long-term.

MA: It's definitely a delicate dance when resources are hard to come by. Ashley, I'm curious what you experience in this particular arena, in terms of how you're working at your organization around charging clients, and what you've found to be helpful for you.

AG: I'm terrible with the money part. That's where organizational leadership is really helpful. We, right off the bat-- It's part of being a recognized agency with the DOJ—created low-cost services. I looked at a couple sample, I can't think of the word, sample fee schedules that are available online, also from a local organization or two and used that as a starting point.

Then, we also have a fee reduction request form that goes off of income. Maybe if somebody wouldn't qualify for free services, they could still get *lower* low-cost services. Then, payment plans, things like that. Then, the more you try to work with someone, it's really great for them, but then it's also a lot harder, because then you have to do all that follow-up. Like, "Okay, it's time for your next payment," or, "Oops, you still haven't paid this," or, "Let me double-check that you qualify for this." It is just another layer to consider. Luckily, it hasn't been too crazy with all of that, but just planning for it ahead of time is helpful.

MA: Thank you. Yes, I can imagine it's a little bit tricky, but it's great that you were able to find resources to help align what you wanted to do at your organization. Mamadou or Charlotte, is this an area that your respective orgs managed in the current times?

MB: Yes. It's really complicated, but also easy. The first thing that we have done is to determine eligibility criteria based on income. That's number one. As this is a DOJ-recognized organization, we do not rely on the client fees for staffing and overhead. All of a sudden, you cannot do that, because this is not to make profit.

MB: We have to determine that eligibility, the percentage, depending on the federal poverty guideline. Then, as I said earlier, about looking for funding where you can use funding from philanthropy or fundraisers and so on to help clients with filing fees, so that will reduce, at least, what they have to pay. The other would be then to grant, because we also use [grants], so that based on the family size or the income, we see where client will fit.

When the other option would be then to apply payment plan for those clients who will have to pay something. Depending on their income, depending on their family size or circumstances, we have to be flexible. It's a combination of different funding sources, but also eligibility criteria, so that we know who to assist, where to assist, and who is going to qualify for payment plan, depending on the type of services also they are seeking.

MA: Thank you, Mamadou. I appreciate you sharing that. It sounds like a multi-prong approach and really important. We have one additional question. What are best sources for recruiting a lawyer to serve on board, whether pro bono, of course, or to provide low bono or pro bono help, especially for civil law and immigration law? What are your experiences?

AM: I'm happy to jump in here. I think there are any number of strategies for recruiting board membership, or recruiting pro bonos. One, for recruiting board members, making sure that you're engaged in your community. I think the best, or the highest likelihood that you're going to get someone on your board, is that they have awareness of your organization, and have a baseline understanding and respect for what you do.

How do you do that? You get your staff or clients to speak on panels. You make sure you show up at community engagement events. You try to build your organizational brand or name, and then engage with attorneys who attend in those spaces. Looking at building pro bono support, and this feeds into the prior question about low bono, pro bono staffing, how to supplement your own capacity.

AM: Pro bonos are a good short-term band-aid. I think ultimately relying on free labor is not a long-term solution, but when there's a heightened need, and capacity has not yet met that need, pro bonos can be a critical way to help meet that need. There are various different networks of pro bonos out there. There's the Association of Pro Bono Counsel. There are organizations like We the Action or Lawyers for Good Government, institutions that recruit, and try to deploy pro bonos to work in spaces that are underfunded.

Of course, that requires technical assistance and other infrastructure to be effective, but thinking through what those resources look like both within your local networks, and then zooming out to nationwide.

MA: Definitely. Thank you so much. We will definitely provide some links to these resources, when we follow up with all of you, that Alex just shared. There's some great organizations out there that are ready and willing to help. One additional question, what are some of the biggest challenges that attorneys have in working with clients who are survivors of violence or abuse, and what cultural differences come up?

MA: In all of your very extensive careers, when you've seen that, what are some of the things that you see? What are some of the cultural differences that arise? Also, what are some ways in which you've addressed this as it's come up in real time?

AG: I can talk a little bit. I try to always let the client lead, welcoming them in, and then just seeing their body language. Are they going to go in for a handshake, a hug, a high-five, nothing, whatever it might be? Then, just making sure that-- Just really noticing social cues, noticing when we're asking questions, and a client starts to tense up, or you can tell that they're getting a little antsy, they don't really want to talk about something.

Noting that, because that's probably something we're going to have to come back to, but not pushing into it right away, and easing them into it in future conversations. Just trying to create a welcoming, calm, safe space, having tissues, water, snacks, just little things that can hopefully help somebody to feel more comfortable. Then, just in the time before an interpreter gets there, or for the interpreter before I get there, whatever it might be, just some time for normal talk. Just talking about how was your day, how was work, whatever it might be, just to give some sense of normalcy along with the difficult conversations that we have to have.

AM: This is--[crosstalk]

MB: Maria, quickly. I'm sorry. Go ahead. Okay. Quickly, not to repeat what has been said, another thing that we do here at Catholic Charities is to provide a cultural awareness training. People talk about cultural competency, but I think I'm not among those who believe in cultural competence, because you'll never be competent in other cultures. You can be aware of that.

We try to provide those trainings to our staff, including really people from countries where we have the majority of our clients coming from. Include them, bring them, so that they can share their experiences, what they value, social norms. That really helps. In addition, you try to make the office more welcoming, providing what has been just mentioned, so that people feel at ease when they come to the office.

We have to be aware of the power differentials, as we say in social work. When you come for service, regardless your status, the people that you are interacting with, they always seem to have more power. You have to make sure that you make the environment, the setting, very peaceful, very welcoming. Sorry.

AM: Oh, no worries. Actually, to your point about cultural awareness, I think also structuring the team, and structuring the staff to reflect the community you're serving, so you can have that built-in talent and competency within your staff can be one way to bridge that gap. I wanted to flag, sometimes for legal services, there is actually a tension between being able to take that time and build that relationship, which is one of the reasons that having integrated services and having legal services connected to social services can be really important.

Sometimes, if we're talking about a refugee, asylum seeker, whatever, you have to confront those really difficult pieces of someone's history. You're not always going to have the same amount of time or ability to build that foundation, or build that trust. Thinking about how to bridge that gap, or how to be transparent about the "why".

AM: Explaining to your clients *why* this information is going to be important, and how it's going to be used, and what it means for their case contextually, is really critical.

Also, making sure you're creating spaces where people are able to talk. You're not assuming where they're coming from. Maybe you're serving a family, but you don't really know what the family dynamic is. Maybe you need an opportunity to talk to those partners separately, because they might have different factors that are relevant for their legal case that they're not really ready to talk about in front of their children, or their wife, or their husband.

MA: These are all really important points. There's some great questions coming in that, unfortunately, we won't be able to get to at the moment. I'd love to maybe follow up with you, and really close things out. Some of the learning objectives. Hopefully, now you're able to identify the benefits and challenges of embedding legal services programs within organizations with broader community mandates.

Explain solutions to key challenges that these legal departments may face alongside other refugee service providers. Lastly, apply some key takeaways on ethical communication, referral coordination, role clarity, and organizational support when embedding legal services within social services teams.

All right. Now, we really need your help in these last few minutes. It'll only take 60 seconds. If you can please just scan the QR code, or you should, I believe, in the chat, we will also put the link to the survey. It's five questions, literally 60 seconds, and it really helps us improve the future of training and technical assistance.

[pause]

MA: We've also gone ahead and added some recommended resources in the chat. You can see it here. Again, we'll send all of this out afterwards, so you can have some recommended resources that might be helpful for you to dig into this topic a little bit further. Of course, please stay connected. We've got Switchboard@Rescue.org, SwitchboardTA.org, if you have any questions or support that you're needing, and then Instagram @SwitchboardTA.

Really want to thank you for your time. I know we just went right on ending at the exact moment we needed to. Really appreciate you, and we look forward to connecting with you soon. Thanks again for everything that you do.

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