



Meeting Community Needs through Creative Remote Pro Bono Programming

By Susan Marks and Sophia Genovese¹

Catholic Charities Community Services (CCCS) has been a leading provider of quality immigration legal assistance in New York City and the Lower Hudson Valley for more than forty years, providing free consultations and direct representation to low-income and indigent New Yorkers. In 2018, we launched the Catholic Charities Pro Bono Project, a dynamic, first-of-its-kind statewide project in New York. We identify clients through various immigration screening events, then evaluate and prepare matters for placement with pro bono attorneys. Most clients are in dense and regionally isolated immigrant communities, and we focus our efforts on communities where the need is highest and resources are scarce – particularly the seven counties of the lower and mid-Hudson Valley. Prior to the pandemic, we offered monthly large-scale screening clinics throughout the Hudson Valley, focusing on complex removal defense.

Responding to a Global Pandemic

The COVID-19 global health crisis required Catholic Charities to reimagine our service delivery models across all programs, including large-scale screening clinics, pro se application workshops, school-based programming, evaluation of pro bono matters, and continued placement of cases. We adapted all scaled programming to remote models that would continue to be responsive to client needs.

Immigrants, particularly undocumented immigrants, have been disproportionately impacted by the COVID-19 pandemic in nearly every aspect of their lives. Many immigrants are essential workers, yet they face barriers to obtaining healthcare and often do not have access to public benefits. COVID-19 exacerbated these vulnerabilities, making it even more difficult for individuals to focus on their immigration cases when they were just trying to put food on the table and keep their families safe.

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Creative Lawyering

To address the ongoing legal needs of the immigrant communities while simultaneously ensuring safety for clients and staff, the Catholic Charities Pro Bono Project got creative in the transformation of our large- and small-scale clinical events.

In March 2021, Catholic Charities partnered with pro bono partner Cleary Gottlieb Steen & Hamilton LLP and Goldman Sachs to provide a small-scale remote DACA application clinic. Working in teams of two, Cleary and Goldman attorneys met with their clients in Zoom breakout rooms to complete the I-821D and I-765. Cleary's in-house immigration expert took on the development of training and curation of resource materials, which was tremendously helpful. We were able to submit new initial applications for DACA for five clients because of this collaboration.

The following month, again in collaboration with Cleary Gottlieb, as well as Immigrant ARC, Catholic Charities hosted a successful hybrid remote/in-person outdoor application assistance clinic for Venezuelans eligible to apply for temporary protected status (TPS). Volunteer attorneys first met with clinic participants remotely (via phone, Teams, or Zoom) over a two-week period, where they assisted TPS applicants in completing their I-821s and I-765s, as well as gathering the necessary support documentation for their applications. On June 22, clinic participants attended an outdoor event at Bryant Park, where one final review of their forms was conducted, signatures were collected, and the applications were finalized. In total, Catholic Charities and our pro bono partners were able to file 26 applications for TPS and seven applications for work authorization.

"We've always loved working with Catholic Charities because of their ability to connect our attorneys to the people who need legal help most – those living in isolated and underserved communities," said Kyle Dandeleit, the Pro Bono Immigration Attorney at Cleary Gottlieb. "Catholic Charities has succeeded in transforming their well-run legal services programs into equally well-run remote and hybrid opportunities. As a result, we've been able to continue helping DACA and TPS applicants during the pandemic, when needs have been high but the ability to access legal services has been challenging."

New Limited Scope Remote Programming

Catholic Charities continues to creatively build on the success of these remote projects. In fact, during Pro Bono Week 2021, we are launching a new limited scope initiative in which pro bono volunteers will assist immigrants in drafting requests for prosecutorial discretion, specifically for joint motions to dismiss or administrative closure. The majority of requests will be made on behalf of Special Immigrant Juveniles who have approved I-360 petitions and who are still waiting for their opportunity to apply for a green card through adjustment of status. This limited scope work is tremendously helpful to immigrants in removal

proceedings. Granted prosecutorial discretion requests mean that clients who have a pathway to a green card will no longer need to appear in Immigration Court.

Catholic Charities will offer an orientation, samples, and individualized mentorship to all volunteers throughout the drafting process and will remain as counsel of record to negotiate with ICE-OPLA. This is a bite-sized pro bono opportunity for volunteers to have immediate impact without taking on full client representation.

COVID-19 Impacts & Why Pro Bono is More Urgent Than Ever

Although Catholic Charities currently provides legal services exclusively within immigration and family law practice, the COVID-19 pandemic has laid bare the disparate impact of a pandemic on immigrant communities and their "essentials of life." Immigrant communities in the Hudson Valley have felt the effects of both frontline work and decreased opportunities for regular work and these trends have elevated the need for a tailored approach to providing legal help in a world where families face instabilities in health, food, housing, and financial security. An undercurrent of these instabilities is the fact that nearly 19 months in, the pandemic continues to unmask deep inequities and systemic disadvantages for people of color. This landscape requires the partnership of pro bono support now more than ever.

We Need You!

Unfortunately, the uncertainty of the pandemic and the closure of the New York Immigration Court for more than 15 months wreaked havoc on the lives of thousands of people, noncitizens and attorneys alike. The pro bono climate has seen dramatic and unprecedented change over the past 18 months. Due to the proliferation of attorneys working from home, Catholic Charities has found that many previously engaged pro bono attorneys are now caretakers for family or children during hours they might otherwise be working. These pressures, in combination with pandemic fatigue and a desire for more separation between work and home, have created an environment in which placing full representation matters has become challenging. While not unexpected, this vacuum of pro bono support is unsustainable. Catholic Charities and other organizations like us need your help! We can't do our work for immigrant communities without the support of law firms and the larger private bar. If you are an attorney in the tri-state area interested in immigration pro bono, please contact [Susan Marks](#) for more information.

As the landscape of relief options under President Biden continues to expand, it is our hope that we can continue to creatively use these remote pro bono models to serve even more clients, despite the uncertainty that continues to impact pro bono practice and case placement.