

Amplifying Migrant Voices: Insights from Participatory Evaluations on Accessing Immigrant Legal Services in Chicago

**Practitioner in Residence, Ellen Miller
DePaul Migration Collaborative, DePaul University
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*Research Assistance from: Alondra Felipe BA., Political Science 2028 and Juliana Zanubi
DePaul MA., Applied Diplomacy 2026*

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About the DePaul Migration Collaborative

The DePaul Migration Collaborative (DMC), born from DePaul University's commitment to immigrant communities, originated in 1996 with the founding of the Asylum & Immigration Law Clinic. In 2015, the College of Liberal Arts and Social Sciences introduced the first U.S. graduate program in Refugee & Forced Migration Studies. The DMC, a joint venture of the College of Law and the College of Liberal Arts and Sciences, embodies DePaul's dedication to interdisciplinary research and advocacy in migration and human rights, seeking systemic change through education and collective action, reinforcing DePaul's legacy as an immigrant-serving institution.

DePaul Migration Collaborative Co-Directors

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Shailja Sharma, College of Liberal Arts & Sciences

DePaul Migration Collaborative Staff

Jill Nyhof Rodriguez, Program Manager

Dominique Cressler, Program Coordinator

Members of the DePaul Migration Collaborative Steering Committee are:

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Maria Joy Ferrera, Associate Professor, Social Work, Critical Ethnic Studies, College of Liberal Arts & Sciences

Shailja Sharma, Professor and Chair, International Studies, Refugee and Forced Migration Studies, Global Asian Studies, Islamic World Studies, College of Liberal Arts & Sciences

Margaret Storey, Professor and Associate Dean, College of Liberal Arts & Social Sciences

Martha Pagliari, Assistant Dean of Experiential Learning, Professor of Legal Practice and Writing

Allison Tirres, Professor of Law

Learn more at: <https://law.depaul.edu/academics/centers-institutes-initiatives/depaul-migration-collaborative/Pages/default.aspx>

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RECOGNITION

Contributing Community Members

Adam Samko, *independent data consultant*

Aline Lauture, *The Haitian Congress*

Beatriz Ponce de Leon, Jesus DelToro, Harley Jones, Danny Castaneda, *City of Chicago*

Clare Sigelko, *State of Illinois*

Diana Perez, *ICRR of Chicago's 40th Ward*

Emmanuel Mandujano and Diana Alpizar, *Instituto del Progreso Latino*

Jose Ventura and Maria Salgado, *Centro Romero*

Kimberly Washington and Angelica Gonzalez-Lopez, *Ascend Justice*

Kiara Corte and Maggie Lugo, *Casa Michoacan*

Maria Torres Wedding, *Colibri Consulting*

Marina Burka, *independent researcher*

Samantha Nordstedt Gonzalez and Jane Lombardi, *The Resurrection Project*

Pastor Elias Cabarcas, *Comunidad Dia Nueva*

Tovia Siegal and Laura Mendoza, *The Resurrection Project*

Advisory Board

In alphabetical order:

Fred Tsao

Idalia Flores Guzman

Jacquelin Garcia

Johannes Favi

Kelley Johnson

Marina Burka

Rob Paral

Samantha Nordstedt Gonzalez

DePaul Migration Collaborative

Deeksha Chitturi, DMC Marketing and Communications Intern

Alondra Felipe, Research Assistant

Juliana Zanubi, Research Assistant

EXECUTIVE SUMMARY

Between Fall 2022- 2024, over 50,000 migrants and asylum seekers, arrived in Chicago from the US Southern border. In response, Chicago, as a welcoming city, invested more than \$300 million and thousands of hours in support services. The unexpected arrival of this population created urgent humanitarian challenges across public service sectors, particularly in legal services. While funders, policy makers, and legal practitioners regularly met to make programmatic decisions, unfortunately, the legal services community has no organized feedback from these Southern Border Arrivals (SBAs), the participants to programs.

Participatory evaluations are essential for healthy programming: they help identify the needs of the community, ensure effective service provision and contribute to assessing impact of response efforts. This study provides insights from 58 individuals who arrived in Chicago from the US Southern border between Fall 2022 – 2024.

Over the course of two months, we opened space for Southern Border Arrivals to share feedback on their experiences about access to immigration legal services. We focused on access to legal services because it is important not only for the lives of immigrants and asylum seekers but also representation supports a more effective justice system. Access to legal counsel can save lives.

Research Methodology

The study engaged 58 individuals:

- 5 focus groups with Spanish-speaking adults, 30 participants
- 1 focus group with Haitian adults, 5 participants
- 5 dyads, 10 participants
- 13 personal interviews

Participant Demographics:

- 57 participants are in defensive legal posture or have a pending removal proceedings
- 1 participant has a pending affirmative asylum case and she is the only one who has secured full legal representation
- Spanish-speaking population breakdown: 75% Venezuelan; 19% Colombian; 4% Honduran; 2% Ecuadorian
- 80% resided in Chicago proper
- 20% lived in suburbs

Key Findings

In order to participate in the study on access to legal services, all participants completed an initial survey with basic questions. Focus groups and interviews, conducted in Spanish, were guided by six general questions.

1.) Understanding of “Access to Immigration Legal Services”

Participants consistently defined access to legal services as the ability to consult qualified professionals about legal processes, emphasizing the importance of counsel in working toward legal status.

2.) Motivations for Seeking Legal Counsel

Primary motivators for seeking immigration legal services included:

- A responsibility to participate in the legal process
- Need and desire to understand U.S. immigration laws to navigate their cases
- Fear of being returned to home countries
- Desire to establish secure family life in the U.S.

3.) Barriers to Accessing Immigration Legal Services

1. Information Gaps
 - Difficulty understanding how and where to start the immigration process
 - Challenges in identifying trustworthy information sources
 - Costly risks of misinformation
2. Financial Limitations
 - Inability to pay for legal services
 - Need to prioritize immediate survival needs
 - 25% of participants paid for some legal services; those who arrived later in the evolution of legal services paid less frequently for services.
3. System Overwhelm
 - Overloaded legal service providers
 - Complex requirements and lack of guidance overwhelmed and discouraged people from seeking public services.
4. Language Access
5. Transportation

4.) Service Access Points

Sources of information that connected or guided participants to legal service providers:

- Other migrants
- People in the shelters
- Immigration officers
- Community centers
- Churches
- Non-profit legal service providers
- Social media
- Given the lack of public service providers, participants engaged unauthorized providers who they referred to as, “*paralegales*” (paralegals) or “*preparadores*” (preparers)

All participants recognized the need for legal counsel in navigating their immigration case. As there is not one defined legal path and each case requires multiple steps, where participants accessed legal services depended on what service they were seeking. Conversations unveiled four stages of services. Legal services at each of those stages was not equally accessible.

Stages of legal services	Availability of legal services
1.) General Orientation/Know Your Rights	Service points varied across the City and the evolution of the legal response efforts.
2.) Application Preparation (TPS, EADs, COV, COA)	Service points were accessible with Centralized Workshops as of Nov. 2023; prior to that, participants engaged non-profit providers or paid for services.
3.) Full Legal Status: Asylum	Limited to no access to authorized public service providers compelled participants to engage unauthorized providers or pay for private counsel, if possible.
4.) Representation in Immigration Court for removal proceedings	Significantly limited to no public services available; 1 participant had legal representation in court

5.) Participant Recommendations on Service Improvements

- Increase access points with legitimate information, such as libraries or county offices
- Create manageable payment plans, in the absence of accessible public legal services some will pay a “reasonable” amount for private counsel
- Improve language access and communication, particularly via WhatsApp
- Expand service areas to suburbs and Chicago’s Southside
- Develop alternatives to asylum
- Provide clear communication about service limitations

One participant, frustrated by the lack of response from service providers and continually being referred to the same organizations that did not respond to his requests for assistance asked to share his practical request:

“Tell us what you can and cannot do. Do not have us keep coming back or sending us to other places where they won't help either...If they [attorneys] can't come to court- OK, but they should tell us. And then, tell us where to find attorneys that can go to court.”¹

6.) Intention on Staying in the Chicagoland Area

Spanish-speaking participants:
 44 plan to remain in Chicago area; 7 undecided; 2 do not intend on staying in Chicago
 Haitian participants:
 All undecided; their decision depends on work and security opportunities

Key Themes

Conversations were more than questions and answer sessions; they provided insight into the experiences and understandings of Southern Border Arrivals. Numerous overarching themes emerged in discussion. The first theme, “Services in Chicago, a Welcoming City,” shared praise for the treatment and assistance participants received. It also highlights how participants came

to and remained in Chicago, compared with other cities, given the level of service and security offered.

A second theme, “Cultural Perceptions,” unpacks the cultural nuances that impacted participants engagement with legal service providers. Herein the data shows a spectrum of abilities to and philosophies on paying for legal services. In short, a fair price is hard to establish but participants are willing to pay a reasonable price, when they have the appropriate resources. Similarly, we noted an implicit cultural understanding about public attorneys. Many of the participants were not familiar with the concept of pro bono counsel and/or that public counsel is not fully funded by the government. This understanding impacted their trust in and willingness to seek public counsel.

A third general theme that emerged across conversations was the negative impact of unauthorized practice of law and fraud. Some participants filled in the gap for legal services by engaging unauthorized service providers; others were victims of unscrupulous service offers. This resulted in damaged trust, lost money and time and for some, compromised their eligibility for protection. More information is needed about the impact of fraud and unauthorized practice of law and steps that migrant communities can take to protect themselves.

Finally, many of the SBAs benefited from the Centralized Workshops for legal services and they provided insight on service delivery of the coordinated workshop model. Appendix A offers a timeline of legal services from Fall 2022 – 2024. Overall, the workshops played a major role in ensuring access to legal services for work authorizations and temporary protected status. Workshop operations were significantly influenced by shelter policies and this data shows that participant experience depended on 1.) when they accessed legal services and 2.) the capacity or workshop flow at that location and time. Workshops were also excellent places to solicit and obtain feedback on processes and services.

Conclusion

Chicago demonstrated its dedication to upholding human rights and dignity through its response to the influx of Southern Border Arrivals, despite limited resources. The immigration legal services community evolved by implementing coordinated efforts and developing a centralized workshop approach. Though this enabled participants to access certain services - notably temporary protected status and work authorization - most still face uncertainty regarding legal representation in court proceedings.

Through participatory evaluations, this research highlights critical pathways for enhancing service delivery and fostering community integration. With an estimated 50,000 new neighbors seeking to become part of the Midwestern social fabric, their involvement is crucial in shaping services that sustain human dignity and maintain security, even as organizations navigate severe resource limitations and unprecedented challenges.

Recommendations

Recommendations for Legal Service Provision

- Legal service providers need to review and ensure all services include a clear orientation and practical next-steps component.
- Legal service providers must proactively seek to understand, as much as possible, different cultural understandings of legal service provision and how they impact client engagement.

Recommendations for Program Design

- Service providers need to keep engaging migrants to learn about their needs, process efficiencies and general impact. Engage other than Spanish-speaking populations. Be specific in what feedback will help refine action plans.
- Program managers and legal services need to consider family group dynamics when designing and executing programs.
- Not all services can be scaled for higher quantity services in the same way. Given the high demand for legal services, strategic division of labor that allows for early intervention and recognizes specialty services can help manage resources.

Recommendations for Systemic Enhancements

- Continue and enhance coordination of messaging and social media presence within and for the legal services community.
- Continue to build emergency preparedness efforts amongst legal services and humanitarian services. A lead coordinator or coordination unit will catalyze the process; beneficiary populations must be included in coordination spaces.
- More information is needed about unauthorized practice of law in the community and to empower immigrants to protect themselves from fraud.
- Despite continued challenges - keep hope.

DePaul University's Migration Collaborative funded this six-month research project to lift up and include migrant and asylum seeker voices in Chicago's immigration legal services. This report represents the second phase, focusing on feedback from migrants who arrived between Fall 2022 and Fall 2024, following an initial assessment of participatory feedback mechanisms within Chicago's legal service community. All information is available on DePaul's Migration Collaborative Website.

GLOSSARY OF TERMS

- Asylum seeker: An asylum-seeker is someone who is seeking international protection. They have fled their country of origin due to a fear of persecution. Their request for protection has yet to be processed in the receiving country, or they may not yet have requested asylum but they intend to do so.¹
- COA – Change of Address: A process required by the US Federal Government for all immigrants to update their address.
- COV- Change of Venue: A process required for immigrants who request to change the location of their immigration court.
- DOJ Accredited Representative: A person who is authorized by the Department of Justice (DOJ) to provide immigration legal services. They work for non-profit organizations that are also accredited and serve low-income immigrants.
- EAD: Employment Authorization Document, also referred to Employment Authorization, Work Authorization or Work Permit.
- Migrant: The general umbrella description of a migrant given by the International Organization for Migration is a person who moves away from his or her place of usual residence, temporarily or permanently, and for a variety of reasons.²
- Parole: Parole is an administrative measure used by DHS to temporarily authorize the release of a noncitizen into the United States. Parole is not a lawful admission or a determination of a noncitizen’s admissibility and may be conditioned upon such terms as the posting of a bond or other guarantee.³
- SBA: Southwestern Border Arrival is a term previously used in conversation that captures the general population arriving from the US Southern border during the humanitarian situation between Fall 2022-2024. For consistency, this report uses the same terminology.
- TPS: Temporary Protected Status is a temporary immigration status granted by the U.S. government to individuals from designated countries who are unable to safely return home due to ongoing humanitarian crises, allowing them to live and work legally in the United States for a specific period of time without fear of deportation; however, it does not automatically lead to permanent residency.
- U Visa: a nonimmigrant visa for victims of certain crimes who are willing to help law enforcement.
- VAWA: a visa that allows noncitizen victims of domestic violence, sexual assault, or trafficking to become lawful permanent residents of the United States. VAWA stands for Violence Against Women Act but does not only apply to women.

¹ UNHCR: “Who is an Asylum Seeker” <https://www.unhcr.org/about-unhcr/who-we-protect/asylum-seekers#:~:text=asylum%2Dseeker%20is%20someone%20who%20is%20seeking%20international%20protection,seekers%20and%20should%20be%20protected.>

² IOM, “Who is a Migrant” <https://www.iom.int/who-migrant-0#:~:text=IOM%20Definition%20of%20%22Migrant%22,for%20a%20variety%20of%20reasons.>

³ “Parole of Arriving Aliens Found to Have Credible Fear of Persecution or Torture.” *U.S. Immigration and Customs Enforcement*, ICE, 8 Aug. 2023, www.ice.gov/factsheets/credible-fear.

I. Introduction and Context

We can learn a lot from listening. Sometimes we can learn new perspectives and sometimes listening to others affirms what we already practice. A participatory evaluation is one tool that facilitates listening and synthesizing information. By engaging participants in focus groups, interviews or surveys, we can learn about the needs of a community, the effectiveness of service methods and various levels of impact of services in the community.⁴

Starting in the Fall of 2022, and over the course of approximately two years, more than 50,000 forced migrants were bused from Texas to Chicago.⁵ Hundreds of millions of dollars and thousands of hours of time and energy were invested in receiving these individuals and families with dignity. With such tremendous effort expended, it is necessary, and good practice, to ask the beneficiaries about their experiences and the impact these services had on their lives.

This research does just that— it compiles and synthesizes the voices of a sample of asylum seekers and migrants who arrived in Chicago between the Fall of 2022 and 2024.⁶ We will refer to them as Southern Border Arrivals (SBAs). The discussion focuses on access to immigrant legal services: what do they understand about the need for legal services; how and where did they – or not— access immigration legal services; what compelled them to seek legal services; what barriers limited their access; and what ideas do they have for making access to immigration legal services better. Given that not much information has been organized directly from this population, we also asked, if given the choice, do they plan on staying in Chicago. A total of 58 adults engaged in the study.

Not only does this paper highlight responses of participants to the main questions but it provides additional insights to participant experiences *vis a vis* Chicago’s humanitarian and legal response during this situation. We also uncover undercurrents of cultural perceptions on relationships with lawyers that impact client-attorney interaction in the community. The last section of the paper provides reflection on the efficiency and effectiveness of Centralized Legal Workshops. To provide context to the feedback, this paper also compiled a general timeline of the legal services evolution over the two-years, *vis a vis* the housing/sheltering response that

⁴ Asset Based Community Development is at the center of a large and growing movement that considers local assets as the primary building blocks of sustainable community development. For more information see DePaul University’s Asset Based Community Development Institute, <https://resources.depaul.edu/abcd->. See also, Community Commons, Seven Vital Conditions for Health and Well-Being, <https://www.communitycommons.org/collections/Seven-Vital-Conditions-for-Health-and-Well-Being>; Promise and practice: participatory evaluation of humanitarian assistance, Forced Migration Review, Accessed Nov. 27, 2024, <https://www.fmreview.org/kaiser/>.

⁵ City of Chicago. "New Arrivals Situational Awareness Dashboard." <https://www.chicago.gov/city/en/sites/texas-new-arrivals/home/Dashboard.html>

⁶ While it was not planned intentionally, this report responds to a recommendation from a report released in April 2024, “Building a Plane While It’s Flying”: Illinois Confronts a New Era of Forced Migration,” Rob Paral, DePaul Migration Collaborative previous practitioner in residence. One of the final recommendations was to “Give Migrants a Voice”

paralleled legal service response. While this is not an exhaustive timeline, it does contribute to documenting the humanitarian response.

This project was generously funded by DePaul's Migration Collaborative. The six-month grant required approval from the Institutional Review Board⁷ and practically allowed for two months of data collection. The principal investigator, with support from two student researchers, organized and conducted one month of focus groups and one month of personal interviews.

In addition to the brave participants, this work would not have come together if not for the generous support of advocates, legal service providers, community-based workers, state and government representatives and of course, academia that promotes such questions and dialogue. It is truly a community-based project, and I hope it serves to continue to evolve, coordinated efforts for legal services, and foster resilience and preparedness for any future humanitarian crisis.

Context: Forced Migration and the Procedural Implications

In late 2022, Governor Abbot of Texas initiated a political action targeting "sanctuary cities" as he started bussing thousands of migrants and asylum seekers from Texas to Chicago.⁸ He postured that if these interior cities are immigrant friendly, then they should deal with the influx of migrants and asylum seekers crossing the US Southern border.⁹

Accordingly, between August 2022 and the end of 2024, more than 50,000 individuals arrived in Chicago from the US Southern Border. The population is primarily from Central and South America, Venezuela being the main country of origin. Spanish is the predominant language spoken, however a number of Haitians, speaking Haitian Creole, and other nationalities also arrived. Given the political and humanitarian tensions in many of the countries of origin, it was generally understood that many were fleeing their home countries in search of international protection.¹⁰

The unanticipated and uncoordinated arrival of thousands of vulnerable individuals spurred a humanitarian response from multiple sectors in Chicago. While housing and medical attention

⁷ DePaul University, Institutional Review Board, <https://offices.depaul.edu/research-services/research-protections/irb/Pages/about.aspx>.

⁸ There are technical and political conversations on what it means to be a Sanctuary City. This paper does not engage in that conversation but instead focuses on the humanitarian response provided by Chicago communities to welcome new neighbors.

⁹ Martínez-Beltrán, S. "Texas Has Spent Over \$148 Million Busing Migrants to Other Parts of the Country." *NPR*, Feb. 2024.

¹⁰ City of Chicago. "New Arrivals Situational Awareness Dashboard." <https://www.chicago.gov/city/en/sites/texas-new-arrivals/home/Dashboard.html>.

may have been a primary focus,¹¹ the fact that all of these individuals are non-citizens and, the majority of them are in removal proceedings, requires immigrant legal services.¹²

What does not help the situation is that US immigration law is complex, and many advocates argue that the system has collapsed.¹³ As the number of individuals arriving from the Southern border continued to grow in Chicago, the Federal government authorized a few temporary permissions for this population. Many entered the country on parole, and the government extended Temporary Protected Status (TPS) for Venezuelans and Haitians.¹⁴ Obtaining full legal protection in the US, however, requires a much lengthier and nuanced process. A full explanation of immigration processes is not possible within this paper but a very basic explanation of the legal services available to this population will provide necessary context.

One of the first key points to understand is that there are a variety of ways individuals can enter the United States. The majority of participants in this study entered via the US Southern border; some walked to the border and turned themselves in, and others entered with the CBP1 application.¹⁵ At the time of data collection, the CBP1 Application was used by new arrivals to schedule appointments at a border crossing and submit advance information before presenting themselves at a port of entry.¹⁶ As of May 2023, it became the primary way for asylum seekers to schedule entry to the US and maintain asylum eligibility.¹⁷ When an individual crosses the border with the CBP1 appointment, they are given parole that permits employment

¹¹ City of Chicago. "New Arrivals Timeline." www.chicago.gov/city/en/sites/texas-new-arrivals/home/faqs.html; Illinois Department of Human Services, "Support Services for Recently Arrived Migrants." IDHS, www.dhs.state.il.us/page.aspx?item=146838.

¹² "Department of Homeland Security Announces \$380 Million in Additional Funding to Communities Receiving Migrants." *Department of Homeland Security*, 28 Aug. 2024, www.dhs.gov/archive/news/2024/08/28/department-homeland-security-announces-380-million-additional-funding-communities.

¹³ Franklin, S. and Pham, K. "Life in Legal Limbo: Navigating Chicago's Immigration Court Alone" *Borderless Magazine*, May 14, 2024, <https://borderlessmag.org/2024/05/14/immigration-court-federal-backlog-attorney-shortages-new-arrivals-chicago-illinois/>; American Immigration Council. "Extended Harsh Asylum Restrictions Won't Fix Our Broken Immigration System." American Immigration Council, 1 Oct. 2024, www.americanimmigrationcouncil.org/news/extended-harsh-asylum-restrictions-will-not-fix-broken-immigration-system; American Immigration Lawyers Association. "Position Paper: Immigration Reform." AILA, www.aila.org/aila-files/ED4CD07F-ACF3-49FC-8CF6-25E5B6757212/03031701.pdf; Baselice, J. "Calling on Congress to Fix America's Broken Immigration System." *U.S. Chamber of Commerce*. <https://www.uschamber.com/immigration/calling-on-congress-fix-americas-broken-immigration-system>

¹⁴ U.S. Citizenship and Immigration Services. "Temporary Protected Status." USCIS, www.uscis.gov/humanitarian/temporary-protected-status.

¹⁵ US Customs and Border Protection, CBP One Mobile Application, <https://www.cbp.gov/about/mobile-apps-directory/cbpone>.

¹⁶ The government purports to have utilized the CBP1 application to manage processing of large numbers of migrants at the Southern border and to facilitate a means to lawful entry. At the time of publication (Feb. 2025), use of CBP1 application for migrants has been cancelled. <https://www.cbp.gov/about/mobile-apps-directory/cbpone#:~:text=CBP%20One%E2%84%A2%20is%20available,Border%20land%20ports%20of%20entry:>

¹⁷ American Immigration Council. "CBP One™: An Overview." American Immigration Council, June 2, 2023, <https://www.americanimmigrationcouncil.org/research/cbp-one-overview>; National Immigration Forum. "CBP One: Fact Sheet and Resources Directory." National Immigration Forum, Aug. 31, 2023, <https://immigrationforum.org/article/cbp-one-fact-sheet-and-resources-directory>

authorization. The functionality and security of the application is highly contested by legal service providers and community advocates for many reasons.¹⁸

It was not always easy or possible to gain entry via CPB1. Those that turned themselves in at the border, entered without a visa or CPB1, do not have the same options. They were often given limited parole and are subjected to additional restrictions on asylum. The one participant who entered with a visa has a totally different process and has affirmatively applied for asylum.

Once in the country, the immigration system requires that individuals attend court where the government assigns them and keep the government informed of their current address. Given the uncoordinated nature of this situation, many SBAs need to file change of venues and change of address forms upon arrival to Chicago.

Employment authorization, a practical life-changer for all immigrants, depends on a legal status and requires applications. All employers must ensure employees are authorized to work. Except for citizens and lawful permanent residents, noncitizens can do so by applying for work authorization. Employment authorization is not a stand-alone benefit but must be tied to an immigration status. Some individuals in this focus population could apply for employment authorization based on parole, TPS, and/or eventually, asylum. Each requires an eligibility assessment, an application and, in some cases, processing fees.

Petitioning for asylum is the primary, or only, pathway for many in this focus population to obtain legal status. Asylum provides legal stability and is a defense to the removal process that could deport them back to a country where their lives are in danger. Obtaining asylum status also allows the individual to petition for family members abroad to reunify in the U.S. The application process is not easy however, even for the legal community, and applications can remain pending for multiple years in the collapsed legal system.

Filing for asylum requires more than merely completing an administrative form. In addition to meeting the definition of “refugee” to apply for asylum, the government requires that the application be filed within one-year of entering the United States.¹⁹ Much has been written

¹⁸ American Immigration Council. “CBP One: An Overview.” AIC, <https://www.americanimmigrationcouncil.org/research/cbp-one-overview>; Parness, A. “Asylum Seekers: CBP One App Poses Major Challenges.” HIAS, Nov. 8, 2023 <https://hias.org/news/asylum-seekers-cbp-one-app-poses-major-challenges/>; Del Bosque, M. “CBP One App Is Part of a ‘High-Tech Border’ That Uses Facial Recognition and Other Tools.” *The Guardian*, Feb. 2023; Amnesty International. “CBP One Mobile Application Violates the Rights of People Seeking Asylum in the United States.” *Amnesty International*, May 2024. <https://www.theguardian.com/us-news/2023/feb/08/us-immigration-cbp-one-app-facial-recognition-bias>; Amnesty International. “CBP One Mobile Application Violates the Rights of People Seeking Asylum in the United States.” May 9, 2024, <https://www.amnesty.org/en/latest/news/2024/05/cbp-one-mobile-application-violates-the-rights-of-people-seeking-asylum-in-the-united-states/>

¹⁹ American Immigration Council, “Fact Sheet: Asylum in the United States.” Jan. 15, 2024, <https://www.americanimmigrationcouncil.org/research/asylum-united-states>

about the one-year filing deadline, but in short, it poses many challenges for applicants.²⁰ And, this study demonstrates, it also pushes applicants to engage with people who are not authorized to practice law in the U.S. in order to meet this deadline.

Once determined eligible, applicants must also adhere to specific procedural requirements to ensure the application is properly filed and accepted by the government. For example, a defensive application must be filed to multiple agencies at multiple addresses that are not apparent to the general society. There is an option to e-file but this requires access to a computer, technology literacy in English and an email account; which presents challenges for many in this population. And, the application can be used for three types of relief, each of which have different eligibility requirements. It should also be noted that the application is in English and involves complex, compound legal questions.

Complex legal processes require legal expertise. Chicago's immigration legal community is strong and generous but, like everything, it also has practical limitations. While many people want to help, such a role requires significant and frequent training. There are different levels of expertise and different types of immigration law to practice. Asylum is a specialty area of immigration law. The pro bono community is proactive but with asylum cases potentially pending for 2- 12 years²¹, signing on to a case is a commitment that many struggle to make.

For context to the conversations with participants it is also necessary to understand that every case is unique. Again, this is not the space to explain nuances in immigration law but certain factors that will influence the case posture include:²²

- The person's nationality;
- The date they entered;
- The way in which they entered the country;
- If the person entered alone or with immediate family;
- The language(s) they speak;
- The jurisdiction they live in;
- Other factors

In recent years, numerous initiatives have bolstered the capacity and quantity of legal service providers in Chicago.²³ For example, the Colibri project has grown the number and capacity of

²⁰ Catholic Legal Immigration Network, INC, "Practice Advisory: Overcoming the Asylum One-Year Filing Deadline for DACA Recipients", Jun. 25, 2020;

²¹ National Immigration Forum, "Explainer: Asylum Backlogs" Jan. 23, 2024, <https://immigrationforum.org/article/explainer-asylum-backlogs/>.

²² Additional information can also be found in the Report of the Illinois Immigrant Impact Task Force Illinois Department of Human Services Great Cities Institute at University of Illinois Chicago April, 2023, <https://www.dhs.state.il.us/OneNetLibrary/27897/images/il-immigrant-task-force-2023.pdf>

²³ Paral, R. Assessing Capacity to provide Legal Services: To Undocumented Immigrants in Illinois, 2021.

DOJ accredited representatives, or professionals who are trained and authorized to practice immigration law under a certified organization in the Chicagoland area.²⁴ Immigration service providers have also shifted from full representation models to limited scope models to effort to address increasing demand for services.²⁵ More organizations are starting to provide immigration legal services. Despite these tremendous efforts, the need for legal services continues to exceed the capacity of service providers.

In the first appendix, a timeline of legal services shows the tremendous effort of the legal community in responding to the sudden influx of immigrants and asylum seekers from the Southern border. The timeline also highlights the sheltering situation in Chicago and major policy changes, both federal and local, that could impact access to legal services. While programs and staffing shifted, many organizations also continued to provide services to other populations.²⁶

And the reason why this conversation about access is so important is because representation can change lives. In addition to having a positive impact on the lives of clients, representation also supports a more efficient and effective justice system. Statistics vary but all support the fact that those with legal representation have a significantly higher probability of winning their case and obtaining protection.²⁷

Context: Humanitarian Assistance

In response to Governor Abbott's actions, Illinois' Governor Pritzker issued a disaster proclamation, on September 11, 2022, that activated assistance for migrants bused from Texas

²⁴ Paral, R. Assessing Capacity to provide Legal Services: To Undocumented Immigrants in Illinois, 2021. This report gives a brief overview of efforts to scale up immigration legal services; Illinois' Access to Justice Program also promotes equal access to legal representation by funding legal assistance for Illinois' vulnerable communities. See Illinois Access to Justice, <https://ilacesstojustice.com/>; See also, See Kerwin, Donald. "Strengthening the US Immigration System through Legal Orientation, Screening and Representation: Recommendations for a New Administration." *Center for Migration Studies*, Aug. 2020, www.cmsny.org/wp-content/uploads/2020/08/Strengthening-the-US-Immigration.pdf;

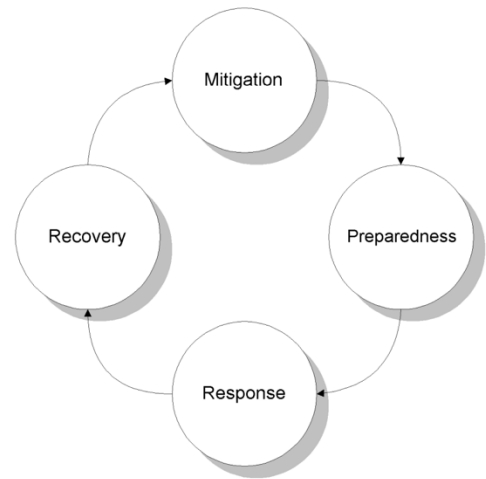
²⁵ The legal field has developed resources for limited scope representation and the Department of Justice developed rules governing limited scope representation. See Catholic Legal Immigration Network "DOJ Issues Final Rule Allowing EOIR Practitioners to Enter Limited Scope Appearances for Document Assistance" CLINIC, Sept. 26, 2022, <https://www.cliniclegal.org/resources/removal-proceedings/doj-issues-final-rule-allowing-eoir-practitioners-enter-limited-scope>; Chicago Bar Foundation, "Limited Scope Representation Practice Resources" CBF, <https://chicagobarfoundation.org/practice/limited-scope-representation-practice-resources/>.

²⁶ Paral, R. "Building a Plane While it's Flying: Illinois Confronts a New Era of Forced Migration" *DePaul Migration Collaborative*. April 2024.

²⁷ "In FY 2022, only 18% of pro se asylum petitioners had their asylum applications granted, compared to 49% of those with representation" National Immigration Forum. "Explainer, Immigration Backlog" Jan. 23, 2024, <https://immigrationforum.org/article/explainer-asylum-backlogs>; Bryant, E. "Immigrants Facing Deportation Do Not Have the Right to a Publicly Funded Attorney. Here's How to Change That." Feb. 9, 2021, Vera Institute of Justice, <https://www.vera.org/news/immigrants-facing-deportation-do-not-have-the-right-to-a-publicly-funded-attorney-heres-how-to-change-that>.

to Chicago.²⁸ This declaration opened resource avenues to provide the necessary humanitarian assistance to receive the migrants and asylum seekers arriving from Texas.

According to the Federal Emergency Management Agency and other disaster response organizations, humanitarian disaster cycles consist of four phases: Response, Recovery, Mitigation and Preparedness.²⁹ While disasters have traditionally been limited to natural or technological threats, mass displacement of people in vulnerable situations also benefit from this framework.



Emergency housing and sheltering services are crucial for forced migrants, serving as critical infrastructure that goes beyond mere physical protection. The City of Chicago and State of Illinois provided shelters for more than 40,000 SBAs, in addition to other policies to support the housing needs.³⁰ Shelters can help forced migrants access essential resources like healthcare, education, legal aid, and psychosocial support, while mitigating the vulnerabilities associated with displacement.³¹ Well-coordinated sheltering services also serve as centralized points for information dissemination, and connecting vulnerable populations with comprehensive support networks. In this way these transforming temporary housing into pivotal interventions that help restore dignity, and create pathways for potential integration.³²

Similarly, effective coordination is fundamental to humanitarian response for immigrant populations as it enables rapid, targeted assistance during complex displacement scenarios.³³ This coordination hinges on robust communication strategies that enable information exchange for collaborative action. Collaboration amongst levels of stakeholders translates to humanitarian efforts that can more efficiently address urgent needs.³⁴ This integrated approach not only

²⁸State of Illinois "Governor Pritzker Announces Illinois to Provide Additional Support for Migrants." *State of Illinois*; Tareen, S. "Illinois Governor's Proposed \$53B Budget Includes Funds for Migrants, Quantum Computing and School" *AP US News*. Feb. 2024.

²⁹ Federal Emergency Management Agency "Emergency Management in the United States: Unit 4" FEMA, https://training.fema.gov/emiweb/downloads/is111_unit%204.pdf; Some disaster management programs expand to five phases that include "prevention". See University of Nevada, Reno. "Organizational Resilience: 5 Phases of Emergency Management" <https://www.unr.edu/organizational-resilience/phases>.

³⁰ More information on the sheltering response is available at The City of Chicago's, "New Arrivals Situational Dashboard" <https://www.chicago.gov/city/en/sites/texas-new-arrivals/home/Dashboard.html>; For a synopsis of services through Spring of 2024, see also Paral, R. "Building a Plane While it's Flying: Illinois Confronts a New Era of Forced Migration" *DePaul Migration Collaborative*. April 2024..

³¹ James, E. (2017). *Managing humanitarian relief 2nd Edition*. Practical Action Publishing.

³² Ibid.

³³ UNHCR, Refugee Coordination Model (RCM), Dec. 2024; Coppola, Damon. *Introduction to International Disaster Management*. 4th ed., Butterworth-Heinemann, 2020; The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2018, <https://www.spherestandards.org/humanitarian-standards/>;

³⁴ Coppola, Damon. *Introduction to International Disaster Management*. 4th ed., Butterworth-Heinemann, 2020.

prevents service fragmentation and reduces resource duplication but can also empower immigrant populations by creating responsive, adaptive support systems that can quickly react to evolving humanitarian challenges.

Emergency preparedness underpins the entire cycle. Preparedness minimizes damage and facilitates faster recovery. It involves ongoing planning that can help anticipate potential disasters and effective responses to them. Capacity building, resource mobilization and continued coordination efforts are essential to ensure that communities have information and tools to be better prepared and more resilient for future disasters.³⁵ Community engagement, a fundamental component of preparedness, ensures needs are addressed, as well as increasing accountability of community actors. Disaster managers, community members and survivors all play critical roles at different stages in the cycle. Legal services providers are important actors in the ecosystem.

When looking at the timeline of legal services, in Appendix 1, we note that a coordinated legal response did not start in Chicago until more than one-year after the initial buses arrive. This suggests that the system was not prepared for a coordinated response. As time went on, the systems developed.

This research contributes to preparedness planning. Participatory evaluations with the “survivors” of the circumstances, and the beneficiaries of the services is fundamental to document good practices, lessons learned, and ideas to prepare in the event a similar situation were to occur in the future

Context: Benefit of Participatory Feedback

Participant engagement in humanitarian situations involving migrants is essential for both accountability and effective resource allocation, as demonstrated by recent challenges in cities like Chicago. While significant financial investments have been made in humanitarian responses - with Chicago alone investing over \$300 million in early 2024³⁶ - the ability to demonstrate meaningful impact remains a critical challenge. Traditional metrics focusing solely on the number of people served fail to capture the full picture of program effectiveness. Through structured participatory evaluations, organizations and the service sector can better understand not just what services are being provided, but how effectively they meet the needs of migrant populations and how it overall impacts the community.³⁷

³⁵ Federal Emergency Management Agency “Emergency Management in the United States: Unit 4” FEMA, https://training.fema.gov/emiweb/downloads/is111_unit%204.pdf; Ibid.

³⁶ CBS Chicago Team. “Chicago Has Spent Nearly \$300 Million on Migrant Crisis Response, City Says.” *CBS News*. March 2024; Haeberle, B. “Chicago’s Migrant Website Obscures Details on Where \$300 Million Was Spent.” *NBC 5*. March 2024.

³⁷ International Federation of Red Cross and Red Crescent Societies (IFRC). *Code of Conduct for the Movement and NGOs in Disaster Relief*. IFRC “Ways shall be found to involve programme beneficiaries in the management of

The humanitarian sector has demonstrated an increasing emphasis on stakeholder participation and it reflects a crucial shift toward greater accountability to beneficiary populations.³⁸ When legal service providers and other humanitarian sectors engage migrants in structured feedback processes, they can uncover barriers and needs that might be missed in traditional evaluations.³⁹ This participatory approach is particularly important when resources are limited and strategic allocation is essential. It enables service providers to move beyond simply knowing what services to provide, and instead understand how and why specific services should be implemented for maximum impact.

Participatory evaluations serve multiple functions in humanitarian response efforts.⁴⁰ First, they help identify problems and challenges that may not be apparent to service providers or administrators working within the system. Second, they provide a mechanism for continuous program improvement by gathering real-time feedback from those directly affected by interventions. Third, they build trust between aid organizations and affected populations, creating a foundation for more effective service delivery and program implementation. This trust is particularly important in situations involving vulnerable populations who may be hesitant to engage with formal institutions or services due to language barriers, or fear of authorities.⁴¹ By incorporating structured feedback mechanisms into program design and evaluation, organizations can demonstrate their commitment to accountability while also gathering the insights needed to make meaningful programmatic adjustments that better serve their target populations.

Finally, the impact of participatory engagement extends beyond immediate service delivery to influence broader systemic change.⁴² When migrants are actively involved in evaluation processes, they become partners in shaping the humanitarian response rather than just recipients of aid. This shift in dynamic can lead to more sustainable solutions, improved resource allocation, and better alignment between service provision and actual community needs. The involvement of affected populations in the evaluation process also helps ensure that cultural competency and sensitivity are maintained throughout service delivery, leading to

relief aid”; Kaiser, T. “Promise and Practice: Participatory Evaluation of Humanitarian Assistance” *Forced Migration Review*.; UNHCR Resettlement Service. “UNHCR-NGO Toolkit for Practical Cooperation on Resettlement: 1. Operational Activities - Participatory Assessments: Definitions and FAQs” *UNHCR USA*, June 2015.

³⁸ *Sphere Standards*. “Humanitarian Standards.” Sphere, <https://www.spherestandards.org/humanitarian-standards/>; Kaiser, T. “Promise and Practice: Participatory Evaluation of Humanitarian Assistance” *Forced Migration Review*.

³⁹ *Ibid*.

⁴⁰ Hilhorst, D, et al. “Accountability in Humanitarian Action.” *Refugee Survey Quarterly*, vol. 40, no. 4, Dec. 2021, pp. 363–389; *Sphere Standards*. “Humanitarian Standards.” Sphere, <https://www.spherestandards.org/humanitarian-standards>

⁴¹ Promise and practice: participatory evaluation of humanitarian assistance, *Forced Migration Review*, Accessed Nov. 27, 2024, <https://www.fmreview.org/kaiser/>.

⁴² Community Commons. “Seven Vital Conditions for Health and Well-Being” *Community Commons*. [https://www.communitycommons.org/collections/Seven-Vital-Conditions-for-Health-and-Well-Being](https://www.communitycommons.org/collections/Seven-Vital-Conditions-for-Health-and-Well-Being;);

more effective and appropriate interventions that respect the dignity and autonomy of those being served.

II. Demographics of the Study's Population

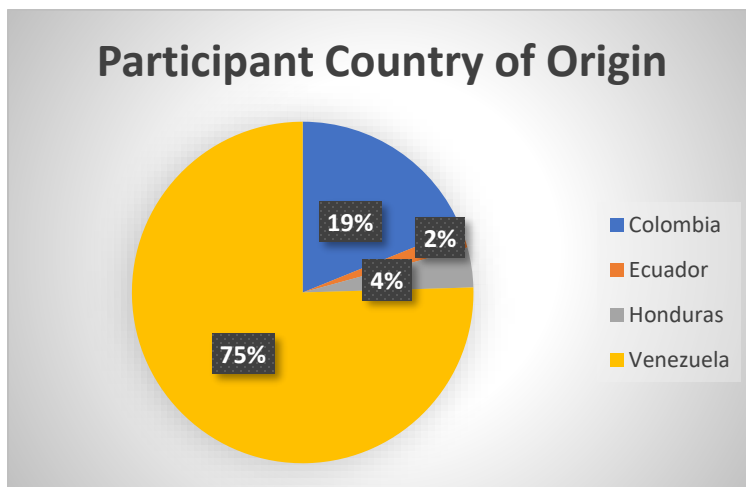
The primary population for this study was Spanish-speaking asylum seekers and migrants that arrived in Chicago between the Fall 2022 and 2024. For purposes of this report, we will use the term Southern Border Arrivals, or SBA.

In total we engaged with 53 Spanish speakers and 5 Haitian Creole speakers in two months of data collection.⁴³ The 58 participants engaged in:

- 5 focus groups with Spanish-speaking adults, with 30 participants
- 5 dyads with 10 Spanish-speaking adults
- 13 personal interviews
- 1 focus group with 5 Haitian Creole-speaking adults

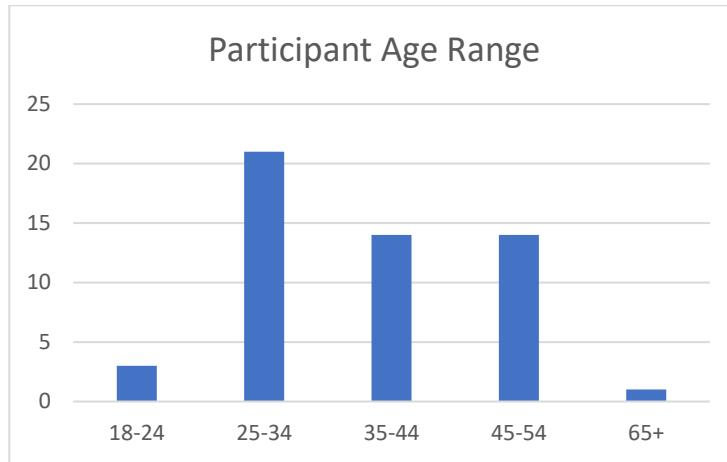
Of the Spanish-speaking population:

- 42 of 45 (80%) participants engaged live in the City of Chicago
- 11 of 53 (20%) participants engaged live in the suburbs
- 52 of 53 participants are in a defensive posture, or are in removal proceedings; 1 participant has an affirmative asylum case

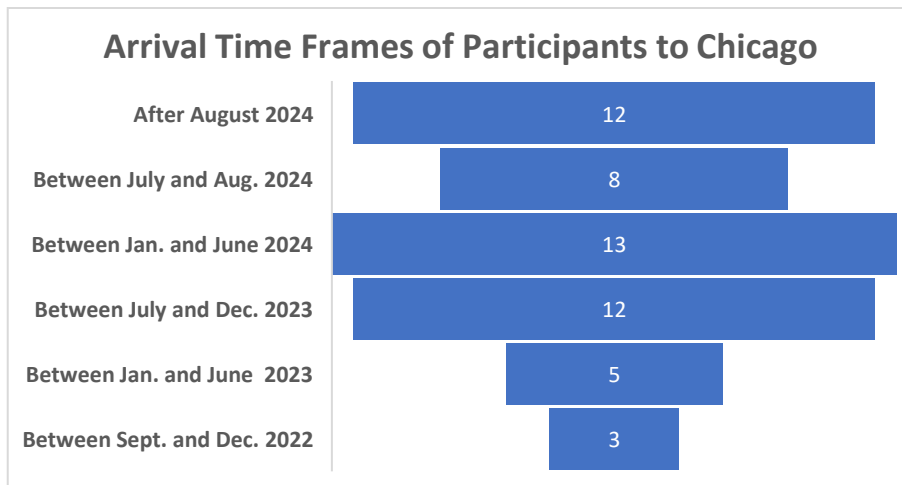


⁴³ As mentioned in the methodology section, the study focuses on Spanish-speakers for two reasons: 1.) the majority of SBAs are Spanish-speakers and 2.) the PI's language and cultural competencies. Nonetheless, as the intention of the research is to include migrant voices and this responsibility extends beyond the Spanish-speaking community, we included one Haitian focus group. We hope this opens the door for additional insights and considerations.

For the Spanish-speaking participants, the majority were from Venezuela. Participants were also from Colombia, Ecuador and Honduras. This study also included one focus group of five Haitians which will be discussed in a later section.



The most common age group of Spanish-speaking participants was 25-34 years old. Three people were younger than 25 years old. No participants between 55-64 years old engaged in the study. The oldest person was 65+ years old.



In order to assess access to legal services as the legal response evolved, we asked participants when they arrived in Chicago. The arrival time frames were organized essentially in six-month time frames as funding structures change, services would also change. Most participants in this study arrived between July 2023 and June 2024, which also tracks with the time frame in which most buses arrived in Chicago. Given the access to the Centralized Workshop, it was easy to connect with the most newly arrived individuals, or those arrive post-August 2024. The most difficult to connect with were the people that arrived in the initial stages.

III. Methodology

Participant recruitment was primarily conducted via the snowball method with legal service providers and community-based organizations, and eventually, word of mouth from participants. Two QR codes were circulated for potential participant consideration. The first QR code was the consent form explaining the purpose, process, risk and benefit of participating in the study. The second was a link to a JotForm⁴⁴ registration page that consisted of 16 questions; 6 of which were required. Both documents were available in English, Spanish and Haitian Creole. The QR codes were shared with numerous legal service providers with a request that they circulate it or make the opportunity available to their clients. Organizations were generous in encouraging clients to participate, and we received more than 130 submissions of SBAs interested in participating.⁴⁵

The initial data collection phase, in the month of October 2024, engaged participants via focus groups of three to eight adults. Focus groups were 1 – 1.25 hours in length and all were conducted in-person at community-based sites or DePaul University's Loop campus. Six initial questions were posed to each group. All participants received a \$20 gift card for their participation.

The second part of data collection, in November 2024, engaged participants via personal interviews. Personal interviews were 30 – 55 minutes in length; ten interviews were conducted in person and seven were conducted via phone. Questions followed the same structure as focus groups but the interview allowed for more personalized detailed to be shared. All participants received a \$20 gift card for their participation.

Given the nature of community-based research, not all groups or interviews went according to plan and so data collection resulted in five dyads, or pairs of participants. For three of the focus groups only two of six scheduled participants arrived. For two of the personal interviews, the intended participant also wanted their spouse to attend and share feedback. As this study looked to collect beneficiary feedback on access to immigration legal services, we welcomed these participants.

All focus groups, dyads and interviews were conducted in Spanish with audio recordings that were transcribed in Spanish. Data analysis was in English and Spanish to preserve the participant's voices. Any specific quotations were translated at the time of writing.

⁴⁴ JotForm "About Us." *JotForm.com*

⁴⁵ All participants were contacted up to three times with an invitation to participate. Numerous responded and confirmed but only 37 showed up to focus groups. Seventeen responded for interviews. More interviews could have been scheduled but were not due to the tight time frame to analyze all data for the funding time period.

The research team engaged in one month of intense data analysis using the RADaR technique⁴⁶ Initial results were presented to community stakeholders in early January 2025 and to study participants in February 2025 for feedback.

Recognizing the limited focus of the study's population and the fact that immigration legal services differ between nationalities, we also conducted one focus group with SBAs from Haiti. Outreach and registration material were translated to Haitian Creole and circulated with legal service providers and a Haitian organization in Chicago. A Haitian Creole interpreter supported the group; the principal investigator (PI) and a student researcher are also proficient in French.

The research team consisted of the PI and two student researchers from DePaul University. The team is bi-lingual in English and Spanish and have significant experience working and living in latinx cultures. A qualitative researcher also joined the team for a month to support qualitative analysis; she is also proficient in English and Spanish. An advisory committee of local legal service providers, policy makers, community-based researchers and a community leader with a lived experience as an asylum seeker also guided the project. This collaboration of professionals met once a month to ensure that the general direction of the project appropriately captured needs, desires and tensions in the legal community.

IV. Challenges And Limitations

This section summarizes challenges encountered during the research and provides suggestions for additional investigation.

Over the past two years, Chicago has welcomed immigrants and asylum seekers from many countries, not just Spanish speakers. The specific focus of the population for this study was determined for practical reasons such as the six-month grant to design, execute and report, in addition to language and cultural competencies of the research team. To keep building equitable access to justice and more responsive legal services, this project should be expanded to engage other populations. As their immigration pathways have varied significantly, data collection and analysis exceeded the scope of this six-month project.

Similarly, Chicago is not the only city in the United States to have welcomed recent arrivals from the Southern border.⁴⁷ Numerous participants commented on the specific services offered in Chicago, as well as ideas as to how to ensure access to justice in other cities. Engaging migrant and asylum seekers in other cities could provide an important national perspective on access to immigration legal services, humanitarian systems that support the federal legal system, and the flow of certain populations across the country.

⁴⁶ Watkins, D. "Rapid and Rigorous Qualitative Data Analysis: "The RADaR" Technique for Applied Research, *International Journal of Qualitative Methods*, Vol. 16: 1-9

⁴⁷ For additional information see Women's Refugee Commission. "Opportunities for Welcome: Lessons Learned for Supporting People Seeking Asylum in Chicago, Denver, New York City, and Portland, Maine." Nov. 2023, <https://www.womensrefugeecommission.org/research-resources/opportunities-for-welcome-lessons-learned-for-supporting-people-seeking-asylum-in-chicago-denver-new-york-city-and-portland-maine/>.

Connecting with the individuals proved difficult given the fluid life situations of participants, such as day jobs that came up last minute and transportation complications. Finding mutually beneficial locations to host focus groups was not always easy. In effect, fifty-percent of initially scheduled focus groups resulted in no-shows or significantly less participants that confirmed actually showed up. Word of mouth promotion of the study within the community takes time to gain momentum. By the time momentum was growing, the research scheduled shifted into analysis.

It was a struggle to access clients of legal service providers or those individuals who had successfully obtained legal services. As the participants mentioned, legal service providers were overwhelmed and many of the organizations did not have capacity to help recruit for this study. If we have been able to connect with participants via these organizations, the data could have reflected the access route to people who successfully connected with legal service providers. The PI visited the Immigration Court one day but based on the high stress of noncitizens in court and overwhelm of the immigration help desk, it was not an appropriate space to recruit participants. Additional research could be done with noncitizens in these programs, either on a large scale or at the organization level with participatory feedback mechanisms.

Filing for asylum was a common goal for participants throughout this study however, Centralized Workshops for asylum assistance were just launching at the end of November and early December. The timing of this report limited our ability to engage participants at those workshops. Given the need for asylum assistance, we anticipate those workshops will pull individuals that have arrived at different times.

As with any study, the data will not represent the experiences of those that did not participate. There are 50,000+ more experiences out there to understand.

V. General Findings from Guiding Questions

Six initial questions guided the conversations with SBAs. The following sections synthesize participant response to each question.

1. What does “access to legal services” mean to you?

To ensure discussion focused on the same topic, every engagement started with the question, “What does ‘access to immigration legal services’ mean to you?” A few respondents started with practical and short responses such, “my legality in this country.”⁴⁸ Others, without hesitation, explained that access to legal service means being able to consult with a qualified person about the legal process. Almost all highlighted the concept of advice and the process of working towards a legal status.

“The services that immigration provides you—the directions and steps-- so that you can be here legally.” Focus Group Participant, Oct. 26, 2024, 1

“Being able to count on a lawyer... as if it were easier to find the way to reach a solution to the problem one has.” Interviewee, Nov. 24, 2024, 2-3.

“I believe it [access to legal services] is a key to open everything...doors to work, health, stability, everything.” Focus Group Participant, Oct. 26, 2024, 2.

2. What were some of the factors that compelled or motivated you to seek legal help?

TOP RESPONSES

- Responsibility to their legal process
- Learning the legal process
- Fear
- To stabilize; access employment

When asked what compels them to seek legal services, participants explained motivations relating to responsibility to their legal processes, fear of not having legal status and the need to work. One participant claimed he did it because others were doing it which leans into an observable motivating factor: social pressures or community influence.

As with any group of people, motivation varies. Some factors are external, but individual reactions, resourcefulness and resilience play into motivation to connect with counsel. Participants in this

study formed four general groups for accessing immigrant legal services:

- 1.) People looking for non-profit immigration legal services but have not yet connected for all legal needs;
- 2.) People who paid for immigration legal services; they stopped looking or did not look for non-profit or pro bono services;

⁴⁸ Interviewee, November 2, 2024.

- 3.) People who have not yet started looking for legal assistance, often times due to other priorities;⁴⁹
- 4.) People who have connected with non-profit legal services.

One participant shared her determination to connect with legal counsel: “Yes, it is exhausting. You can't say that it's easy or that it's cool to be knocking on doors. But when you arrive in another country and there is help, you have to look for it.”¹

Participants most frequently cited responsibility to the legal process as their biggest motivation. As one explained, their ability to stay in the US and with a legal status depends on “adhering to their laws, their norms, their rules, and even their culture. ...we must try to be as legal as possible in the country we go to.”⁵⁰ Others expressed compliance as immigration officials at the border told them they had to find a lawyer; this was especially true of participants who entered via the CPB1 application.⁵¹

Employment authorization and getting the asylum application on file pressured participants to find counsel. Participants clearly received the message that they had to file for asylum to stay in the country and/or as a defense to deportation. They understood that one needs to file for asylum within one year of arriving in the country. In addition to the pressure to file the application prior to the one-year deadline, they also understood that employment authorization based on the asylum application was generally longer-term and it becomes available 150 days after filing the application. Participants want what is best for them and their families.

Employment authorization was a practical reason for which they sought legal assistance. Work authorization, or a work permit, provides not just physical means to live but also dignity and stability in setting up life in a new country. All participants need to work to support themselves and provide for their family in the US and/or abroad. They understand that to work legally, they need authorization. To obtain authorization, they need legal assistance.

Similarly, both interviewees and focus group members stated the need to find an attorney for their court date when they present their full case. One participant explained, in particular detail, how legal counsel is necessary for asylum, which is his defense to deportation. As his life is threatened in his home country, he must find legal counsel to fight his case and prevent deportation.⁵²

⁴⁹ A few participants had explained why they had not yet started to look for legal services. The most common explanation is that they were working and needed to work to pay their bills and save for an attorney.

⁵⁰ Focus Group Participant, October 12, 2024.

⁵¹ Focus Group Participant, October 7, 2024, “When I arrived at the border, which was the day of our appointment, they told us that “they have to” an attorney”; “immigration officers told us when we entered with the appointment,” Interviewee, November 22, 2024, 1.

⁵² Interviewee, November 19, 2024, 1.

In trying to fulfill their responsibility to the legal process, they seek legal counsel to learn what they need to do. Participants recognized that the laws and systems are different in the US than in their home countries. Understanding the one-year filing deadline for asylum, the difference between affirmative and defensive postures, their responsibility to file COVs and COAs are all processes they have learned since arriving in the US.

Fear was another motivation for seeking legal counsel. For example, one focus group member shared, “If you don't apply for asylum, they'll take you out of the country....That's why you run around looking for: ‘Who will help you with asylum? And ask others, who helped you find ways to have immigration status?’ Because if not, you'll be deported.”⁵³

Community actions largely influenced participant’s actions and perceptions of connecting with counsel. Talk amongst the community informed participants of what to do, what not to do, and where to find counsel. “Group think” prevailed when one participant joined a table of other women in the shelter to complete her asylum application, even though she admitted she did not know what she was doing. One participant explained when he did not know what form to complete, he saw what others were filing out and so he also filled it out.⁵⁴ Community reliance is a common phenomenon particularly in immigration communities as they create a strong dependence on their fellow cultural group for support, sense of belonging and information when they are not certain who to trust.⁵⁵

“When you arrive in the country, the first thing you want is to be as regular as possible, not to have any problems. You can be calm. And, for people like me, who have children, when you arrive the first thing you do is to get advice, so that the children can be well and have their documentation.” Focus Group Participant, Oct. 15, 2024, 2.

⁵³ Focus Group Participant, October 15, 2024, 1.

⁵⁴ Interviewee, November 24, 2024, 1.

⁵⁵ Altaf Saadi, Brenda Morales, Lei Chen, May Sudhinaraset, Understanding the function of social capital among Mexican and Chinese immigrants in Southern California: A qualitative study, *SSM - Qualitative Research in Health*, Volume 3, 2023, ISSN 2667-3215, <https://doi.org/10.1016/j.ssmqr.2023.100247>.

3. What are barriers to accessing legal services?

Immigrants face many barriers to accessing legal services. The top three reasons participants cited were lack of information, money and overwhelm with the system. Other practical limitations involved language access and transportation. This next section describes these barriers.

TOP RESPONSES

- Information
- Overwhelm
- Money / financial
- Language
- Transportation

Barrier: Information, Access and Trust

Information was one of the most commonly stated barriers for accessing legal services. Participants explained not knowing where to start with their process or who to trust as information providers.

One interviewee, with an attorney in Venezuela, captured issues with information for this community:

“There are many people who, perhaps due to misinformation, lose their identity or remain illegal for life and never see a document because they have no one to guide them...I have felt helpless when I could defend myself. How is a person who doesn't know or doesn't have the same knowledge going to feel? Because sometimes I have felt tied hand and foot. I say: ‘And now, what do I do?... Being informed and knowing the system helps migrants make better informed decisions.’” Interviewee, November 19, 2024, 2.

Participants who arrived in late 2022 or early 2023, noted that they needed to depend on the community they knew or met upon arrival as a coordinated response had not yet been established. And, at that time, the Venezuelan diaspora in and around Chicago was relatively small. Again the reliance on the community, and need to create community, for information was essential.

The struggle to find legal counsel generated frustration for some as they did not have the necessary information to move forward. As one participant explained, “The country doesn't have to adapt to you, you have to adapt to the country.” You have to adapt here first, so that you can see that it's going to be like they say, ‘The country of opportunities,’ ... But it does get a little bit difficult when you don't know how to start.”⁵⁶ For some, this frustration demotivated people from seeking services.

The noted absence of information often tied into the overwhelm in the system.

Barrier: Overwhelm

⁵⁶ Focus Group Participant, October 12, 2024.

Participants recognized that the US immigration is collapsed and the number of people arriving during this time choked legal services. One participant who arrived in late 2023 shared her observation about shelter staff, “For the amount of people coming, the workers couldn’t handle it.”⁵⁷ Another participant shared that upon arriving at a legal service organization on a Saturday morning, he was given #377 in the line. Noting the staff only worked until 12 noon, he knew he would not get seen but that he would need to keep trying.⁵⁸ Another participant similarly explained that when she arrived at 7 am at the court for legal services the line was already around the building. Given her work schedule, she could not wait knowing that most likely the service organization would reach capacity before her turn.

Overwhelm was also frequently noted by the lack of response to the list of attorneys circulated in the community. While various lists of legal providers were provided in the community in attempt to enable the population to connect with counsel, participants proved overwhelm of service providers rendered the lists ineffective. Many claimed to have called everyone on the list but with no response; or, they stated they would not even bother contacting people on the list because experience in the community shows they would not get through. For those that did connect, they were told to call back as all appointments were full or that the first available appointment was in four to five months. Legal service providers were saturated by demand.

Overwhelm amongst the SBAs was also noted as they struggled to know what to do with all the life changes. In effect, some resorted to what they can do and often times that was work. A number of participants, most of them single males, stated they had not looked for counsel but instead prioritized working and supporting their families.

Barrier: Money / Financial Limitations

Another common response when asked about barriers was, “dinero” or, money. Participants mentioned the lack of money to pay for legal services and/or the need to work to cover basic needs before looking for legal counsel.

“I cannot connect with a pro bono attorney so I have to pay. I don't have this money right now, so I cannot. I have a solid case to present but cannot move forward.”

Interviewee, Nov. 12, 2024.

⁵⁷ “A la cantidad de gente que llegaba a diario, no les bastaba” Focus Group Participant, October 26, 2024,2, translated.

⁵⁸ Interviewee, November 2, 2024.

Paid for Legal Services	Count
After August 2024	12
No, did not pay	12
Between July and August 2024	8
No, did not pay	8
Between January and June 2024	13
No, did not pay	10
Paid for some services	3
Between July and December 2023	11
No, did not pay	5
NR	1
Paid for all services	2
Paid for some services	3
Between January and June 2023	5
No, did not pay	3
Paid for some services	2
Between Sept. and Dec. 2022	3
Paid for all services	1
Paid for some services	2
Grand Total	53

When looking at who paid for legal services as reported in the initial JotForm survey, the data clearly showed that those who arrived earlier more frequently paid for services than those who arrived in late 2024. Given the lack of community network and lack of coordinated services those who arrived in the earlier stages ended up paying for services. Or, in other words, as the pro bono legal services became a fixture in community, less people had to pay and could access services.

The need to pay for legal services also arises from cultural understandings of working with lawyers, or experiences from their home countries. Multiple participants explained that in their country, lawyers are regarded as highly educated people with a specific skill set, therefore it is logical that they should be compensated for their time. With this understanding, participants explained: “So if I don't have money,

how can I approach them?”⁵⁹For some, this meant that they would not even consider a contacting a lawyer because they did not have money.

A few participants had paid people who are unauthorized to practice law and lost between \$1500 - \$3000 for no services, or for services for which they were ineligible.⁶⁰ Numerous participants who could not pay a private attorney and/or did not connect with pro bono counsel, opted to pay a ‘paralegal’⁶¹ or ‘preparador’ (preparer) to prepare their asylum applications, payment ranged from \$200 per person to \$800 for a family unit. Services from

⁵⁹ Focus Group Participant, October 7, 2024.

⁶⁰ One focus group participant met someone who had filed for work authorizations for other migrant families. As she too wanted work authorization, she paid this person to complete the applications and paid the USCIS filing fee only later to learn that she was not eligible for work authorization at the time. Focus Group Participant, October 26, 2024, 2.

⁶¹ I wish to note the dangerous use of the term paralegal in this context as it can discredit or confuse the work of a trained paralegal employed at a legal organization with the unauthorized practice of law. This paper uses the term as expressed by participants but efforts should be made to change or better understand it came to be used.

preparers could include filling out forms, providing general procedural information, and translating documents. Generally, participants knew they were not lawyers prior to engaging the service.

Like many things in life, participants recognized that sometimes it is just easier to pay and have someone else do it. Having to learn to do it themselves or expend time and energy finding resourceful solutions also has a cost. One participant, a single mother with two school-aged children explained that with all that she has to do alone, she does not have time to learn and complete the forms. She paid a preparer to help the family. Similarly, another participant frankly stated, “If I had the money, I would pay for everything because there is bad information and I waste time. If I could pay, I would already be stable but that is not the case...”⁶²

Related to the money concerns, participants often explained the need to work as their main priority. One participant concisely explained, “for work permits, we have to pay. We cannot pay if we do not have work. We cannot work if we don’t have permission [to work]. It’s not easy.”⁶³

Language access was another practical concern limiting access to legal services. Participants recognized that they manage many daily conversations with translator applications on their cell phones but some did not feel this was sufficient for legal services. A few participants expressed anxiety when they tried calling legal service providers and the person answered in English. Making appointments in English is a barrier.

“You go somewhere and you want to find information, and the truth is that we don't speak any English. So, it's very difficult to be able to express yourself...we all felt like we were tied down for not knowing English.”

Focus Group Participant,
Oct. 26, 2024

Barrier: Transportation

Participants had varied experiences with public transportation. Some claimed access to public transportation as a benefit of living in the city, grateful that they do not need a car to get anywhere. Those living in the suburbs or further from centralized services, however explained they depended on family or community members to drive them to court and other important immigration services.⁶⁴ One couple paid \$120 to rent a car to ensure they could arrive timely to their immigration court appointment.⁶⁵

⁶² Focus Group Participant, October 7, 2024.

⁶³ Interviewee, November 15, 2024.

⁶⁴ Interviewee, November 22, 2024, 1; Interviewee, November 19, 2024, 2; Interviewee, November 24, 2024, 1-2.

⁶⁵ Interviewee, November 24, 2024.

Money was also an issue for navigating public transportation. One participant living on the city's Southside explained that she often times has to take two to four buses to get places and each one costs money. She walks a lot, sometimes up to two hours to arrive to appointments.⁶⁶

4. How and where did you access immigration legal services?

"We knew about people who belonged to organizations. They went and gave help outside the shelter. They gave us flyers and told us: "Look, call for legal advice," and I would call. "Yes, we will call you back to schedule an appointment." ...There were people who were lucky and got legal advice...of course, I also understand the collapse of the number of people that they could have had... I can't say: "No, it's not that they didn't want to schedule an appointment for me," because I don't know what was going on. I understood later that there were more than a thousand people. It was the collapse. I understand that too. So, that's why I tell you, we knocked on doors, it didn't work out for us. Well, yes, we tried to do it... [then] because one doesn't know, one makes it up because we don't have a lawyer. So, it seems that one has to figure out how to do what one can and ends up doing it wrong."

– Dyad Participant, Nov. 2, 2024

Top Responses, Information Sources:

- Shelters
- Other migrants
- Immigration officers
- Community Centers/Churches
- Legal service providers
- Social Media

What information sources connected you with legal services?

One of the most critical elements of information collected during this research was how participants connected with legal services. Who referred them to what service? How did they learn about the services? The data provides common trends that can inform the legal community about information flows and important community connections.

As the availability and coordination of legal services evolved over the course of the two-year period, the depth of community networks also developed. It is also important to recognize that the immigration process requires multiple steps and therefore each individual will require multiple services.

Based on conversations with SBAs, two of the most immediate sources of information were the shelters and other migrants. In the shelters, participants received lists of lawyers and legal

⁶⁶ Focus Group Participant, October 26, 2024, 2.

service organizations. For those who arrived in Chicago in the latter half of 2023 through 2024, participants explained that the shelter staff would help them make appointments, especially for the Centralized Workshops. One participant did comment however, that access to information depended on the shelter staff's willingness to share or answer questions, or their ability to answer depended on the number of migrants in the shelter.⁶⁷ Shelters facilitated access to services in addition to physical refuge.

“The shelters help us a lot. It is difficult if you don't have a shelter and they have to communicate with relatives, friends or people. And I received information from the shelters and institutions.”

Focus Group Participant, Oct. 26, 2024

Whether within or out of shelters, another effective referral mechanism was word of mouth amongst the immigrant population. Friends and community contacts not only referred them to places, but provided transportation to organizations. It should also be noted that two interviewees cited lack of information sharing amongst the migrant community. They explained that not all migrants want to share information or their experiences; they do not want to help fellow migrants. This experience came up with interviewees in a suburb and was not the general experience of other participants that found information amongst their community.

Validation of the information seen on social media is an important community function. Many participants expressed a passive consumption of information via social media that they then confirmed within the community. For example, “I have learned a lot about what to do on social media... When I got here, I didn't know...I was looking for information and I have been guided a lot. But to do the process here, I think [speaking with] the community is better to be informed. And to start the process, word of mouth is better.”⁶⁸ They find the information in the local community, or word of mouth, to be more reliable than social.

Border officials were one of the very first information providers for this population upon entering the U.S. At least four participants claimed that upon entering the US, border officials told them they must find a lawyer and/or they gave them a list of legal service providers in Chicago.⁶⁹ Similarly, two participants mentioned that they received information at their first ICE check-in in Chicago. Participants took this information seriously as it came directly from federal immigration officers.⁷⁰

⁶⁷ Focus Group Participant, October 26, 2024, 2.

⁶⁸ Focus Group Participant, October 15, 2024, 2.

⁶⁹ Interviewee, November 12, 2024, 2; Interviewee, November 24, 2024, 3; Focus Group Participant, October 7, 2024; Focus Group Participant, October 15, 2024, 2.

⁷⁰ Interviewee, November 12, 2024, 2; Interviewee, November 19, 2024, 2.

Participants learned what to do and where (or not) to go from their community contacts. Many of those that connected with *paralegales* or *preparadores* did so because they were referred from a contact, or they knew someone that had a successful process, and they too wanted to be successful. Participants learned significant information about the process from these people. Participants could explain the difference between affirmative and defensive asylum applications, the one-year filing deadline, etc. The eligibility requirements based on the information that the “preparer” told them. The participants did lose significant money but preparers were a source of information.

Community centers were another common places for information gathering and referrals, particularly in the suburbs. Participants in the suburbs received help from El Centro de Informacion in Elgin and a community center that also serves as a food bank in Palatine. Two participants mentioned the local Illinois Department of Human Services office as a place where they go for all types of information, including immigration.

Multiple participants met at the same church. Another interviewee explained that she approached the pastor for guidance and he connected her with a social worker and lawyer from the church. They assisted her in filing and preparing documents for her asylum case and she trusts them, “because they are from the church and I believe strongly in god.”⁷¹ Another pastor connected six participants to participate in this study.

Sources of Information: Social Media

Social media is a common source of information for participants, both through passive and active consumption. No platform was mentioned more than others; Tiktok, Facebook and Instagram were all easily and frequently accessed by this newly arrived population.

Participants also shared there are immigration attorneys very active on Instagram and many tutorials from a variety of sources. One participant mentioned that he follows attorneys on Instagram both in his home country and across the US to stay informed about updates in immigration policies. Only one participant mentioned connecting with an attorney from social media but upon learning the price for services he did not continue communication. Three participants proactively mentioned connecting with the Asylum Seeker Advocacy Project (ASAP) and frequently sees their information.⁷²

On the contrary there were a small number of participants who expressed complete distrust in social media. Two participants explicitly stated that they do not engage on social media because they do not want people to know where they are or about their life; they maintain a low profile

⁷¹ Interviewee, November 15, 2024.

⁷² We did not ask about specific sources of information but these three showed us ASAP on their phones.

based on fear of being found. Another shared that social media is all negative and deceives people therefore he does not engage.⁷³

Given the time frame and scope of questions to discuss, we did not ask about specific sources or main influencers on social media. Participants did not mention organizational websites, other than ASAP, as sources of information. Overall, legal service providers should not ignore the power of social media and this topic is ripe for further exploration.

Sources of Information: Lists of Attorneys

In almost all conversations participants commented that they received a list of attorneys as a resource to find legal counsel for their case. Some received their first list from immigration authorities at the border, some upon arrival to the shelter, others from service providers in Chicago.

Despite the variety and availability of lists of legal service providers, the lists did not connect SBAs with counsel. Only one participant found counsel from a list, and it was a private attorney. She lives in the far Western suburbs and received the list from a community-based organization. She opted for a private attorney because her one-year deadline was approaching and the attorney's office was near where she lived.

Participants shared multiple reasons why the list did not work. Lack of response was the most common explanation. A number of participants again reasoned that the system had collapsed due to the number of people arriving. For example, one participant explained, [“We are trying to call. They are saturated. When they answer, they say to call back another time or earlier.”](#)⁷⁴ Others just simply understood that non-profit organizations did not answer and/or would not call back.⁷⁵

The contacts on lists varied. Based on a list participants showed or described to the research team we noted that some lists included only free or pro bono legal service providers; other lists provided some pro bono providers and some private attorneys. A participant who arrived in Chicago in late 2024, but had previously lived in Florida, showed us an outdated list with attorneys who are no longer practicing. If the lists are to be effective, they need to be maintained.

⁷³ Focus Group Participant, October 15, 2024, 1.

⁷⁴ Focus Group Participant, October 26, 2024,1; Focus Group Participant, October 26, 2024,3.

⁷⁵ "This institute gave me a sheet where I had several numbers of lawyers, some were paid, and some were those that don't charge you. And I called, and I called on several occasions to those that don't you and they didn't answer the call at all." Focus Group Participant, October 26, 2024,1

Others simply did not try to call the contacts on the list because they had heard from within the community that no one answers.⁷⁶ Others did not call because they did not yet have money for an attorney. One person did mention difficulties with language: when they called, the person who answered at the organization spoke in English.⁷⁷ Others did not call because cold-calling is an odd cultural idea to them; they struggle to trust people without meeting them or prefer to meet in person.

Overall, participants learned about and connected with service providers in a variety of ways. To pattern was detected until 2024 and this pattern relied on shelter systems. To demonstrate the variety of access points, on the next page are a few snippets of conversation with participants.

⁷⁶ Focus Group Participant, October 7, 2024.

⁷⁷ Interviewee, November 25, 2024.

ACCESSING IMMIGRANT LEGAL SERVICES

Arrived Fall 2022, from Colombia, arrived with family

- He received no information or referrals upon arrival.
- Three months after arriving, a local contact in the suburbs referred him to an attorney. They could not afford the attorney.
- Lived in a house with 35 other migrants; they told him he needed to file for asylum within one year of arrival.
- His partner found the Resurrection Project's Legal Services (pre-Centralized Workshops) online. His partner and her children applied for asylum; he was not included in the family group.



Arrived Between January- June 2023, from Venezuela, arrived alone

- Received an orientation at the shelter.
- Centro Romero assisted with the parole application and referral information about TPS at the Centralized Workshops.
- Attended the Centralized Workshops on Jackson Blvd. for TPS;
- Through word of mouth, met a "paralegal" who filed asylum for \$600, even though he "doesn't trust them a lot."



Arrived July- December 2023, from Colombia

- Immigration officers at the border gave him a list of pro bono lawyers but they did not answer his calls.
- He went to immigration court to connect with the help desk but the line was too long to obtain services that day. A "fake lawyer" approached him outside of court and offered to file and represent him for \$1500. He was a victim of fraud.
- He was referred back to the Court Help Desk, they could not help him and no organization responded to his calls.
- Connected with an alderperson in Little Village neighborhood to try and elevate his case. He was referred back to the Court Help Desk, they could not help him and the organizations still did not answer his calls.



Arrived July - August 2024, from Venezuela, arrived alone

- She arrived at a shelter. The shelter brought her to the Centralized Workshops for her work authorization. She connected with a church via the shelter.
- At the church, the pastor connected her with a social worker and attorney. The social worker helped her prepare documents for her asylum application. The attorney reviewed and submitted the application.



Arrived January - June 2023 from Venezuela, arrived alone

- Received a packet of information and a list of attorneys at the border; entered with CBP1 application.
- At his ICE check-in in Chicago, he asked the officer a lot of questions and learned about the process.
- He filed his own Change of Venue and Change of Address.
- He randomly encountered a former colleague (a colleague in the legal field in Venezuela) at a train station; he paid her to complete the asylum application and work authorization because she was more familiar with the US system.



Arrived September 2024, from Honduras, arrived alone

- Entered with CBP1 and was put on a bus to Chicago.
- Arrived at the landing zone in Chicago and transferred to a shelter.
- Received orientation at the shelter; they brought him to the Centralized Workshops for all current legal needs.



For one of the scheduled focus groups, only two people arrived and it turned into a fascinating conversation between two individuals with very different life circumstances that happened to arrive one-year apart. The table below highlights how their access to legal services depended on 1.) when they arrived during the evolution of legal services and 2.) how their family situation impacted their mobility within the system.

New Neighbors: Different Times, Entry, and Family Situation⁷⁸		
	Participant 1	Participant 2
Gender	Male	Female
Country of Origin	Honduras	Venezuela
Family status	Single	With two minor children, mother, and adult brother
Entered US	With CBP1 app	The family crossed and turned themselves in
Arrived in Chicago	Sept. 2024	Sept. 2023
Shelter	Arrived to a shelter; received orientation and assistance;	Arrived to a shelter; 300 families in shelter; couldn't access orientation because of demand on small staff; granted rental assistance for six months for the family
Access to legal services	Shelter arranged transport to TRP workshop; applied for EAD (parole-based) and now asylum	No legal services while in shelter; Out of the shelter, a friend recommended her to a "paralegal" for work authorization. Paid \$3,000 to USCIS and learned she was not eligible; lost the money. She hasn't been able to connect with counsel for asylum

In short, the individual who arrived in late 2024 had the whole process laid out for him. Whereas the mother with extended family group, struggled to connect. While the evolution of the legal response was a major factor, service providers and program managers must take into account family dynamics for access to services.

Where did you actually connect with legal services?

All participants recognized that they need legal assistance to navigate the immigration system. The common thread through all levels of services was the legal counsel, or information

⁷⁸ Focus Group Participant, October 26, 2024, 2.

provided on what to do, what not to do and how to do it. In this next section we will walk through where participants obtained or connected with immigration legal services.

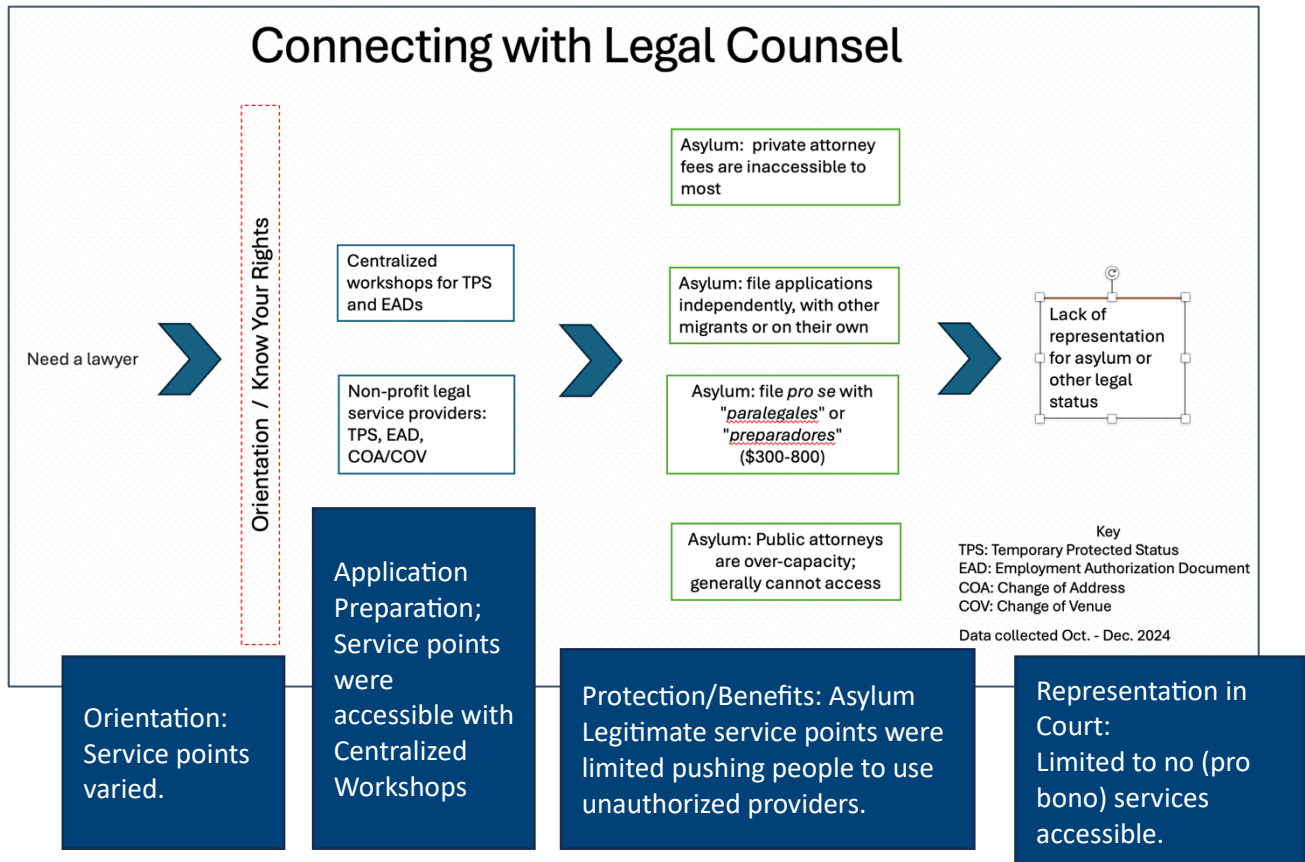
As there was not one defined path or legal protection for all participants, where they accessed legal services depended on what service they were seeking. Participants in this study sought counsel for: employment authorization, temporary protected status, change of court venue, change of address, asylum, and one participant sought a U Visa. Another applicant appears eligible for a VAWA based on the information she shared but she was not informed of the option and therefore had not sought services.

When looking at responses from the initial JotForm survey responses broken down by their arrival times, asylum assistance was the most commonly sought service across all arrival time frames, except for the most recently arrived (post-August 2024). For the most recently arrived, their priority was work authorization.

According to the self-entered information participants provided in the initial JotForm survey prior to joining the study, the most common place to connect with services was a legal workshop.⁷⁹ The second most common access point was with someone at a shelter or an organization that helped generally with the documents. These are not authorized practitioners of law, but could include shelter staff, other migrants, or other social service providers. The third most common way participants connected was consultations with a representative at a non-profit organization. This self-reported information is a bit surprising as in conversation, participants rarely mentioned success in getting appointments with non-profit staff. Other ways participants connected with non-profit legal service providers could have been in consultation at shelters, or for TPS assistance. Connecting with paid attorneys was the fourth most common means to legal services. Only one person noted they were able to speak with a legal representative at Immigration Court.

The conversations about connecting with counsel unveiled a more complex scenario. When looking at the totality of legal services needed, four layers of service emerged. Accessibility at each level of service varied. The next section will walk through these four stages.

⁷⁹ It is important to note this is self-reported data and does not give a break-down of where they accessed specific types of the multiple services sought. A more in-depth questioning, perhaps via a more formalized survey, would clarify this data.



1. General Orientation and/or Know Your Rights

Participants mentioned general orientations at shelters and at the start of the Centralized Workshops. A few connected and attended job fairs at local universities where they also enjoyed connecting with service providers and other community members. A few others commented that in connecting to English classes at Chicago Community Colleges they have also found other resources.

As previously discussed, the two most common and consistent sources of information are social media and the news in the community. Participants noted using these two sources in tandem; social media provides general context, but they would confirm the veracity or practicality of the information heard on social media in conversation with colleagues and community members. Social media, particularly TikTok, Facebook and Instagram, provide a lot of commentary about the immigration processes and personal experiences of other migrants in the system.

2. Application Preparation

Stage two is where participants filed a variety of applications to comply with immigration requirements and/or seek temporary protection or benefits.

Seemingly straightforward administrative transactions such as completing an application often require additional and exact procedural compliance and take on added weight in the immigration context. As previously mentioned, the immigration process requires immigrants to update the government on their current address, many need to file Change of Addresses. Similarly, participants are assigned to immigration courts but given the chaotic nature of the busing situation and fluid nature of migration they may need to request to change the court location. This administrative requirement can be deceptively complicated. For example, to change venue requires the individual to address or plea to the allegations on Notice to Appear, and the motion must be filed in various locations to serve different parties which is not obvious to someone not familiar with the legal or even the mailing options. It is a legal process with significant implications. These administrative processes are additional steps necessary for this SBA population.

When asked, most participants did not distinguish changes of addresses and venue applications from the process when they filed for employment authorization or temporary protected status. Which suggests either that service providers folded these steps into service provision or immigrants have not complied with these obligations. The former situation is most likely for these participants as many participants confirmed if their court was in Chicago or not. Only two participants raised the idea of filing a change of address or change of venue. Those two participants have a family situation where one family member had those services processed and another had not; they needed support to complete the process for the family.

For work authorizations and temporary protected status, nine discussed accessing services at the Centralized Workshops organized by The Resurrection Project and staffed by numerous non-profit legal service providers. The number of participants who obtained services at these workshops however was higher. A few others mentioned getting support at local service providers such as Centro Romero and Instituto del Progreso Latino. Overall, participants, even those that arrived early on found counsel for these processes in stage two.

3: Asylum and Legal Protection

For what we describe as stage three, filing the asylum application and preparing to present their case for protection presented challenges for participants.⁸⁰

⁸⁰ It is important to note that not all services can be appropriately scaled to a large workshop model. Many legal advocates will argue that the complexities of asylum services limit the number of applications that can be safely and responsibly managed at a workshop. Quality control has a direct impact on the lives of applicants. The current standards of the asylum system require a lot of resources.

As many could not connect with public counsel and also could not afford private counsel, but needed to file for asylum within one year of arriving, they were seemingly compelled to pay a “*paralegal*” or a “*preparador*.” These service providers ranged from completely malicious and fraudulent to informed but not authorized to practice. Prices ranged from \$300 per person to \$800 per family. Services could include translations, application preparing and filing. Some participants recognized that these people were not lawyers, but they were familiar with the law and helped them complete the paperwork.⁸¹ Participants also noted that they did not trust these people but they needed to file and the preparer was more informed than the migrant. Numerous participants noted errors in the applications submitted.⁸²

“[A preparer is] like a helper. They are facilitators. They are filling in the gaps. People who have been here for a while, who have already done it, know how to enter the website... But they're not lawyers.” Focus Group Participant, Oct. 26, 2024

Suburbs and City

- 9 of 11 participants in the suburbs paid for legal services (81%)
- 6 of 42 participants in the City paid for legal services (14%); 1 NR for participant in the City

A small number of participants, mostly those in the suburbs, opted to contract a private attorney to file their asylum applications. **The only participant in this study with full representation for her asylum hearing retained an attorney for \$7000.** A couple with two children paid \$4000 for the application and work

authorization; the service does not include representation. Another mother with her partner, were facing the one-year deadline to apply for asylum but were not able to find representation in the area and thus connected with an attorney in Colombia. Later realizing that the attorney in Colombia could not represent them in US immigration court, they retained a US lawyer for \$8000.⁸³ The retainer included filing the application, change of address and venue, along with two court representations but not the individual hearing. The mother recently separated from the abusive partner and learned the application was incorrectly filed. As a single mother, she can no longer pay the monthly attorney fees, and the attorney is not responding.⁸⁴

⁸¹ Focus Group Participant, October 26, 2024,3. “The preparer gives you a form and helps you fill out a form and tells you where to go, they translate for you and are independent. They come from another country and are immigrants too. They are not lawyers, but they know the law and charge \$800 per person.”

⁸² Interviewee, November 12, 2024, 1.

⁸³ In discussion with legal service providers, it is important to note that \$7,000-8,000 is not an exorbitant rate for a private immigration practitioner, especially, as previously mentioned the specialized legal field, likelihood for the application to be pending multiple years and the hours required to prepare the case.

⁸⁴ Interviewee, November 24, 2024, 3.

Filing the asylum application with the assistance of other migrants was also an option for those who lacked financial means. One woman explained that one day in the shelter a group of people sat down to complete the application and she joined them. She said, “I did it wrong, but I didn’t know. I didn’t have money or a job. A colleague filled it out for me and we sent it in with the errors.”⁸⁵ Another woman explained that they tried multiple times to find assistance but “it was not their luck” but they had to do something to be able to timely file.⁸⁶

Overall, stage three involves legal services for asylum processing. Those that can afford counsel did, but for many paying is not an option. Pro bono or non-profit services for asylum were extremely limited. Given the need and desire to comply with their immigration processes, participants found alternative solutions: *paralegales* and *preparadores*, both of which engaged in unauthorized practice of law and with varying results.

4. Representation in Court

The fourth main step for this population will be representation in court. This stage was the most difficult to access counsel for participants and a clear gap in services exists.

When asked about finding representation for their court date, most participants did not know how or where to find representation, given the saturation of the public sector. One participant recognized that while there is help for completing applications, it is much more complicated to get representation. “In the city and in all the suburbs they are helping people fill out their asylum applications. But really, to have lawyers on court day there is more complicated, because it is a lot more work.”⁸⁷

“On the day of the court, the most important thing is to go with a lawyer. That has been what worries us the most, because we still don't have the money to pay a lawyer. But they do tell us that we have to go to court with someone who can advise us.”

– Interviewee, Nov. 25, 2024

One participant thought he had counsel only to later learn he was victim of fraud. This experience highlights the repercussions of limited access to legal counsel at early stages of the process which could mitigate a need for intervention requiring more specialized or more time-consuming levels of service.

⁸⁵ Focus group participant, October 15, 2024.

⁸⁶ Dyad participant, November 2, 2024.

⁸⁷ Interviewee, November 22, 2024, 1.

"The fake lawyer not only robbed me, but he left me in a worse position...I have called all the numbers. I have gone to the buildings where people tell me I can find legal assistance... I cannot pay another attorney right now... I don't know what to do."

- Interviewee, Nov. 12, 2024

The participant is from Colombia and arrived without family members in July 2023. Having received the list of pro bono attorneys and non-profit organizations he started calling to find legal support, but was

unsuccessful. Weeks from his first court date and not able to find counsel, he learned about the Immigration Court Help Desk (ICH) that provides pro bono triage legal services inside the immigration courthouse. When he arrived early that morning, the line for people needing services was out the door and the ICH was already at capacity for the day. While in line, a professional looking person approached him and offered to help with his asylum case for \$1500. The participant accepted. This "lawyer" told him he would file the application and that the participant did not need to appear in court because he would represent him. Unfortunately, no application was filed and the judge ruled the participant removed *in absentia* because he did not appear in court. Since then, the participant has called every organization again, gone back to the ICH and even connected with his alderperson. Given the removal order and the fact that his one-year filing deadline for asylum has passed, this is now a complex case that requires experienced legal counsel. He spent his last savings on the fraudulent attorney and cannot afford private counsel.

Despite this participant's proactive and dedicated efforts to find counsel, he cannot access legal services for his immigration. Unfortunately, he is not alone in this situation. Had he connected with counsel to complete his application and been advised on how to navigate his first court appointment, he most likely could have prevented the situation and the need for high level services. Immigrant legal services cannot meet the basic needs of the population and therefore they are evolving into more complex cases that will require most specialized attention.

5. If you could do something to make assistance for immigration services better, what would you do?

Top Responses

- Information
- Payment support
- Access to lawyers
- Enhance systems

Based on their rich personal experiences, participants offered a variety of ideas to enhance access to legal services. For purposes of analysis, ideas offered are grouped into five main categories: Information, Payment, Access to Lawyers, Systems, and the Legal Process. While some of the ideas mirror concepts already being tested in the legal community, it is important to see that

participants can also contribute and have important nuances to add to the process.

Information

Access to information was the most common and elaborated on ideas shared by participants. In general, participants suggested having more locations to access information about the immigration process. They clearly stated they prefer in-person services to virtual services. They identified schools, libraries and the Department of Human Services as specific places where they frequent and can get information.

One participant suggested creating information hubs around the City. She said that “20 hubs would be great but five would help too.”⁸⁸ Another participant suggested less permanent structures such as information fairs.⁸⁹ After attending an information fair at a university and a pro se legal workshop, she affirmed that she learned necessary information, connected with services she hadn’t known about and enjoyed the events.

One interviewee elaborated on the creation of departments of immigration legal assistance or immigrant support in each county office. Having worked in the federal legal system as a government representative in his home country, he emphasized the need to combat disinformation, “There is a lot of misinformation. Misinformation leads to ignorance of the law”⁹⁰ and in these public spaces, noncitizens could speak with informed representatives that are familiar with the government processes. Comparing it a community-based health systems model, he emphasized that having a local person, or team, trained and accessible to the community is essential. These spaces would work against disinformation as well as allow the government to stay to connected with immigrant communities.

In terms of when to receive information about the legal process, one focus group debated when is the best time to receive general orientation about the legal process. A few group members agreed that upon arrival to the United States, or as they are leaving the border, is the “moment one is most aware of what they [authorities] are advising them.” These group members emphasized that at minimum “someone should advise on the first steps they have to take.”⁹¹ Along these same lines, one participant suggested that, at the border, each immigrant should be assigned a representative or be given an appointment to talk with a representative but two to three months later. On the contrary, one group member admitted that she was overwhelmed at the time leaving immigration authorities on the border and appreciated getting information when arriving in Chicago, her destination. In summary, information is needed at multiple points along the process.

⁸⁸ Focus Group Participant, October 15, 2024, 2.

⁸⁹ Interviewee, November 25, 2024.

⁹⁰ Interviewee, November 19, 2024, 2.

⁹¹ Focus Group Participant, October 26, 2024, 3.

Payment

As most participants cited money as a main barrier to legal services, they also offered ideas to make it more financially accessible. Participants asked that it be possible to make payments on a payment plan, and/or not requiring a large initial payment (IE: for a legal retainer). One participant suggested offering subsidies to attorneys to offset costs and make it more attractive for them to take immigrant cases. Another offered the idea of making it possible for to pay for legal services after getting employment or like a tax system. Overall, they need to fit this payment in with all other costs of starting life in a new country and with unstable or little initial income.

Access to Lawyers

“We need a lot more attorneys. They would need to tell the population what we need to do. They can tell us the general process. They are diligent with the information.”⁹²

While creating “a lot more lawyers” may not be possible, other suggestions provided for increased legal guidance. One participant suggested, “have more trained people available.”⁹³ Another suggested having lawyers available to provide general guidance about the process, even if they cannot represent you. Combining these two ideas, having more people to provide general guidance is similar to the concepts being developed with community navigators, as well as building DOJ accreditation and universal representation initiatives.⁹⁴

Numerous participants provided suggestions based on frustrations with not being able to access legal assistance. One interviewee wanted to share a recommendation to legal service providers: “Tell us what you can and cannot do. Do not have us keep coming back or sending us to other places where they won't help either...if they [attorneys] can't come to court- OK, but they should tell us. And then, tell us where to find attorneys that can go to court.”⁹⁵ A focus group discussed the idea of having an “intermediary organization” to help make legal

⁹² Interviewee, Nov. 12, 2024.

⁹³ Focus Group Participant, October 26, 2024, 3.

⁹⁴ This suggestion supports the growth of numerous efforts such as the Colibri project, Catholic Legal Immigration Network and DePaul’s Asylum and Immigration Legal Clinic’s to train and accredit more legal representatives. See The Resurrection Project, “Immigrant Justice Leadership Academy,” <https://resurrectionproject.org/immigrant-justice-leadership-academy/>; CLINIC Legal, “Information About CLINIC Training for DOJ Recognition and Accreditation,” <https://www.cliniclegal.org/training/accreditation>; DePaul University, “The AILC Hosts Series on Building Immigration Knowledge and Capacity”, Feb. 22, 2019, <https://law.depaul.edu/about/news/Pages/AILC-Hosts-Series-Building-Immigration-Knowledge-Capacity.aspx>; Universal representation in the immigration context similar to a federal defenders initiative See: Bryant, E. “Immigrants Facing Deportation Do Not Have the Right to a Publicly Funded Attorney. Here’s How to Change That.” Vera, Institute of Justice, Feb. 9, 2021 <https://www.vera.org/news/immigrants-facing-deportation-do-not-have-the-right-to-a-publicly-funded-attorney-heres-how-to-change-that>.

⁹⁵ Interviewee, November 12, 2024, 2.

appointments for asylum seekers instead of having everybody calling all the organizations all the time; they argue this would save time, resources and frustrations.⁹⁶

Systems

Participants also provided ideas on systemic improvements or changes to promote accessibility to legal services. These include increase assistance available in Spanish and one way to do that is to create WhatsApp groups for communication. Others suggested building more local assistance. Numerous participants who live on the city's southside mentioned they travel to the northside for legal services and this was costly both financially and in time.

Engaging more universities in assistance and capacity building was another idea proposed. A participant who is a college professor mentioned that as Chicago and Illinois have a lot of universities, each university should “delegate six students to community services, such as in shelters and help with social assistance to help with immigration matters” and that ultimately, these support services would allow immigrants to be better prepared for or attend to their immigration case.⁹⁷ Another participant suggested offering cultural orientations and technical classes to immigrants at universities to facilitate adaptation and independence.⁹⁸

Numerous participants raised the need to create legal opportunities other than asylum. One interviewee who was a manager at an oil company in Venezuela asked why he couldn't be evaluated for his professional skills, as opposed to “just an asylum seeker.”⁹⁹ A few other participants mentioned how hard it is to be away from family and the idea of never being able to go back to their home country is very difficult. And, while asylum was a focus of the need for legal assistance, a participant also asked “to expand the coverage” to make information sessions “not just for those seeking asylum.”¹⁰⁰

6. If you have a choice, where do you think you are living a year from now? Five years from now?

At the end of the conversations, all participants commented on, if given the choice, would they stay in the area for the next couple of years. As immigration cases can last for years, responses to this question are important for legal service providers to be able to anticipate what legal

44: Intend on staying in Chicago
7: Undecided
2: Do not intend on staying in IL

⁹⁶ Focus Group Participant, October 26, 2024, 3.

⁹⁷ Focus Group Participant, October 12, 2024.

⁹⁸ Interviewee, November 2, 2024.

⁹⁹ Ibid.

¹⁰⁰ Interviewee, November 24, 2024, 3.

services could be needed in the upcoming years. In short, it appears that these new neighbors are going to need long-term legal services.

Forty-four participants expressed their intention to stay in Chicago and their reasons varied significantly. Many expressed gratitude for all that the people have Chicago have given and how nice are the people. Three specifically stated they intend to move from the City to the suburbs for employment and personal preferences. A common sentiment was that they will stay because they do not want to move or start over again. This was especially true of participants with children currently in school. Another theme arose in focus groups that participants intend to stay in Chicago but not on the Southside of the City due to crime and not feeling comfortable.¹⁰¹

Of the seven that are not yet decided if they will stay in Chicago, three had been in Chicago for less than two months and therefore did not want to opine. The others said their stay depends on the availability of work and their economic situation.

The reasons for not wanting to stay in Chicago include not wanting to live with cold winters and the second expressed continued fear of delinquency on Chicago's Southside and she intends to continue to Canada.¹⁰²

¹⁰¹ Focus Group Participant, October 15, 2024, 2. "I went to the southside first, for the economic reasons. I left a few days ago and after changing the outlook from the southside, it is OK...The south is the most economical but...you have to look elsewhere." Significant tension grew between Southside populations and SBAs as a result of benefits given to SBAs while divestment and institutional racism has been an on-going issue on Chicago's Southside.

¹⁰² Focus Group Participant, October 26, 2024,3.

Staying in Chicago

Participants explained many reasons they want to stay in Chicago. Here are some in their own words:

"In Chicago, I feel grateful. Because of the help that Chicago has given us, I have what I have. I am grateful for that."

"Chicago has opened many doors for me and the people, well, the people I have met... the people have helped us more than anything."

"I would love to stay here, settle down and put down roots here."

"We have each come here looking for stability for our families. I say that we must consider our goals. Here we arrived and well, here we will stay; here we can also make a life."

"We want to build our own things, working. I got a job... the children are in school, she can work part-time... we want to build our own things - not depend on the government or anything, but move forward ourselves."

"I don't want to leave Chicago... I would like to be with the people and learn from them what I can. If I have to go back to my home country, I will and I will be grateful for this experience."

"If I have the option, think I will be in Chicago. I would like to achieve my dreams and goals. I cannot return to my country and I would like to be here with my children...I'd like to have a good job, a home and give all that I can here. We don't only come asking for things, but we can contribute and give back too. "

"We are here because we have a need to be here... I want to have the best for myself and my daughter... and that's why I try to do things the best I can, and I want to do things well."

VI. Another Perspective: Feedback from a Haitian Focus Group

While this project focused overall on engaging Spanish-speaking migrants and asylum seekers for practical reasons, it is important to recognize that access to legal services differs for other populations.¹⁰³ To merely highlight the variances in access to legal services based on population group, we conducted one focus group with Haitian migrants and asylum seekers.¹⁰⁴

¹⁰³ During the same time period that Spanish-speaking migrants and asylum seekers arrived in Chicago, Haitians, Ukrainians, and other groups came to Chicago.

¹⁰⁴ In preparing for the group, the outreach flyer and registration form were translated into Haitian Creole.

We opted to engage Haitians as they were also in shelters and accessing the Centralized Workshops during the same time as this research. The P.I. connected with a Haitian community organization to request support in recruitment and to host the group in a common space. The focus group consisted of five adults and a Haitian creole interpreter. The group is not representative of the population, but opens a space for future research to consider additional populations.

Demographic profile of the Haitian focus group:

- Four males; one female
- Four arrived with family; one without family
- Four have accessed legal immigration services; one has not yet¹⁰⁵

Arrival dates

- 2 Arrived between September and December 2022
- 1 Arrived between July and December 2023
- 2 Arrived after August 2024

Age range:

- 1 18-24 years old
- 2 25-34 years old
- 2 35-44 years old

This section will review the same six principal questions posed to the Spanish-speaking groups and provide a brief synthesis of the findings.

1.) **What does “access to legal services” mean to you?**

Participant understanding in this group mirrored those of the Spanish-speaking participants. One respondent however, provided a unique perspective: “A service that is rendered to migrants to help them be a little bit more liberated.”¹⁰⁶

2.) **What were some of the factors that compelled you to seek legal help?**

Similar factors motivated the Haitian participants to look for legal services: they are seeking basic information about the immigration processes, in preparation for immigration court, and to learn their basic rights while in the U.S.

3.) **What are barriers to accessing legal services?**

Participants in this group expressed that language and knowing who to trust were their biggest barriers to accessing legal services for their immigration cases. One participant, who had arrived just a few weeks prior to the group, admitted that he had not yet started looking for legal counsel because he did not want to fall into someone who would deceive him and he did not

¹⁰⁵ This data was reported according to the initial JotForm survey they completed to express interest in the study.

¹⁰⁶ Focus Group Participant, November 9, 2024.

know who he could trust.¹⁰⁷ In regards to language access, it is worth noting that one participant is married to a woman from the Dominican Republic and he explained that they were able to access more information through the Spanish-speaking community. In the shelters, they had more information because she speaks Spanish.

A few participants in the group expressed frustration with their shelter experience which influence their experiences within the social-service ecosystem. One participant explicitly stated that the shelters are for Spanish-speakers and not for others. While they reserved sharing their specific complaints, they did say that life in the shelters was difficult and they were grateful when Haitian organizations came in to explain things to them.

4.) How and where did you access immigration legal services?

These participants received assistance at Haitian community organizations but did not mention other legal service providers.

This group mentioned looking for legal services via social media and Google on their phones, they also recognized a main source of information is from within the community. The participant married to the Dominican woman is the only person who mentioned having a list of legal service providers to call.

5.) If you could do something to make assistance for immigration services better, what would you do?

After expressing frustrations that shelters were more for Spanish-speakers than Haitians, two participants talked about the need for more support for the Haitian population in general. One participant explained however, that while community groups exist, they are all migrants and so getting new information is difficult. He wished more groups like the focus group existed so he could access new people and information. One participant accessed a legal service organization through his barber, who is a local American.

6.) If you have a choice, where do you think you are living a year to five years from now?

One notable difference between the Haitian group and the others was that no Haitian participants expressed a definitive intent to remain in Chicago; all of them said they were unsure if they would stay and it depends on their ability to get legal status and employment. One participant noted the increased possibility of being deported with the anticipated change in federal administration in 2025.

Overall, language is a main barrier for this population, but insights from this group illustrated it is not just in direct interactions but also in the service infrastructure. Chicago has a relatively high percentage of Spanish-speakers, not just native-born but people who learn Spanish to communicate with the migrant community. Language and cultural awareness facilitate access to the ecosystem of services, medical, housing, and other social services, in addition to

¹⁰⁷ Ibid.

immigration legal services. It is critical for service providers to continue to build resources and fund infrastructure such as qualified interpreters and community navigators, in languages other than Spanish.

For the future, it was not just the language difference but the communication style and cultural nuances also proved challenging to navigate. Much more time is needed for groups with interpreters and overall, to build rapport so participants could speak more frankly and develop ideas.

VII. Discussion and Implications

Conversations proved more than just question and answers sessions, they were rich with cultural nuances and expression of human needs and hopes. This next section attempts to synthesize some of the larger, overarching themes that came from engaging this population. Topics include: Services in Chicago, A Welcoming City; Cultural perceptions about “fair price” and “public attorneys,” and unauthorized practice of law. The section ends with a more in-depth review of participants’ experiences with Centralized Workshops.

Services in Chicago- A Welcoming City¹⁰⁸

Chicago was an initial target city for Texas in the administration’s attempt to “export the border crisis.”¹⁰⁹ And, Chicago stood up to the challenge to show that migrants can be received with respect and dignity. Humanitarian emergency response is never perfect and is rarely comfortable, but in all conversations, participants expressed gratitude for the services they have received in Chicago. Many proactively shared they feel lucky to be in Chicago or they specifically came to Chicago because of the support offered to migrants.

“It hasn't been difficult for me. Why? Because from the beginning, when I came here... the police received us and gave us some help. We received basic instructions... And, it hasn't been difficult for us, because we have always had the help that you have supported us.” Focus Group Participant, Oct. 15, 2024


A focus group participant suggests that the assistance provided in Chicago should be provided in other places too so that immigrants can get through the process and contribute to society. He went on to say that if the same assistance existed in other places, then perhaps less people would come to Chicago. Another woman, when asked about the difficulties in the process

¹⁰⁸ Chicago’s Welcoming City Ordinance is an important policy that defines lines of intervention for local police and federal authorities. There are on-going political conversations on what it means to be a Sanctuary City. This paper focuses on the humanitarian response of communities in welcoming new neighbors and vulnerable populations.

¹⁰⁹ Villagran, L. “The Real Migrant Bus King of North America isn’t the Texas Governor, it’s Mexico’s President” *USA Today*. April 2024, <https://www.usatoday.com/story/news/nation/2024/04/28/migrant-bus-operation-in-mexico/73438134007/>

responded, “I say that the same help that is here in Chicago, should be everywhere. Just like here...in all the states and that way one gets out of all this faster.” Focus Group Participant, Oct. 15, 2024

In one of the focus groups two Venezuelan women shared completely different experiences based on the place where they initially arrived in the U.S.: one arrived in Chicago in early 2023 and the other in Florida in late 2022. This conversation, highlighted in the table, below demonstrates the effects of Chicago’s commitment to provide basic information and coordination helps people comply with the law but also establish themselves with dignity.

New Neighbors: Different Initial Points of Arrival	
Arrived first in Chicago	Arrived first in Florida
<p>Participant two in this focus group arrived directly in Chicago. She has applied for three different work authorizations: parole, temporary protected status and as of the time of the group, she was expecting her work authorization based on her asylum application.</p> <p>She also received housing assistance and connected with public assistance.</p> 	<p>Participant four in the group spent almost two years in Florida prior to coming to Chicago. In Florida, she did not find pro bono counsel and so connected with an attorney who was going to charge \$10,000 to prepare and file the asylum application. She has no work authorization and has not yet submitted her asylum application, even though she is past the one-year filing deadline.</p> <p>Upon arriving in Chicago, she received a general legal orientation and was exasperated to learn that the instructions she needed to apply for asylum were in the documents given to her by immigration authorities at the border, however it was written in English and nobody had explained it to her. She expressed tearful frustration that she had lost two years of process.¹¹⁰</p>

¹¹⁰ Focus Group Participant, October 15, 2024, 1.

Cultural Perceptions

Cultural nuances also emerged after numerous engagements with the Spanish-speaking population. When working in community, sometimes what is not explicitly said, is just as important as what is said.

A. “*Precio Justo*” – A Fair Price

Money and the ability to pay for services emerged in almost all conversations with participants and was also an important discussion amongst legal service providers in the community. In talking about access to asylum services, in particular, a space opened between what participants said and what they did. The data shows a spectrum of abilities to and philosophies on paying for legal services.

On one side of the spectrum, one participant explained that as asylum is free, they should not have to pay to apply for asylum. Others recognized that they simply cannot pay; they do not have the income or savings to survive and pay for legal services.¹¹¹

One focus group and four interviewees, however, brought in the topic of paying an attorney a “*precio justo*” or, a fair price. They recognized that lawyers have a highly specialized degree and that their services cost money. Many explained how in their home countries, they understand that even to talk with lawyer costs money. With this understanding, some participants justified that as they cannot afford a lawyer, they have not looked for one. Others explained that they consulted with private attorneys but they could not pay in lump sums, for example, the initial retainer and/or the monthly payments were not feasible for their situation. For these participants, they asked that lawyers give a “*precio justo*.”

When pushed to quantify what is a “fair price,” no one was willing to give a number. Fair to these participants meant that they could afford a payment plan. Some of these same participants, however, had already paid \$300 - \$800 for limited scope services with individuals not licensed to practice law in the US. Two participants admitted they paid \$1500 for services resulting in fraud, which wiped their remaining savings and resulted in them not being able to pay for additional services. Four study participants had retained private attorneys for \$3000 - \$8000 for asylum services. Interestingly enough, all participants that had retained and were paying for private, licensed, counsel assistance live in the Western suburbs. And, as one participant said, “attorneys and their families have to eat too.”¹¹²

¹¹¹ Interviewee, November 25, 2024.

¹¹² Interviewee, November 19, 2024, 1.

A few participants also raised the point that sometimes people do not appropriately value free services.¹¹³ One interviewee, who is a surgical technician in her country, explained it was a matter of pride for her to pay. She connected with a preparer who had helped other asylum seekers nearby. The lady originally quoted \$300 USD to provide, prepare and translate the asylum application. Struggling with a difficult situation at that time, the participant explained that she could not pay that and so declined the services. The lady still guided her to the correct form, told her where and how to file at the court and offered to review the application. This participant eventually saved \$100 and returned to pay saying that she did not come to his country looking for charity and was paying what she could because she appreciated the lady's services.

“I don't think it should be completely free, sometimes people don't value what is 100% free.”
Interviewee, Nov. 24, 2024, 3.

Another interviewee explained that in her country she had always had a comfortable life with a good job and was accustomed to paying for services. When she arrived to the US, she understood she was in a legal process for which she needed legal services. In her experience, one pays for good service, and so she retained an attorney for \$7000, which she paid with her savings. That said, after being in the country for two years, she acknowledged that had she known how difficult it is to be an asylum seeker in a new country, she would have made smarter financial decisions and looked for alternatives.¹¹⁴

How does one put a price on a service that can provide legal stability and for a process that can take years? Asylum is a very specialized practice of immigration law; it takes time and experience to learn. The case process can take years and preparing a case to present before an immigration judge can take hundreds of hours.¹¹⁵ The benefits of obtaining asylum status are also life changing. Asylum status provides legal stability and opens doors for additional benefits like petitioning for immediate family members left in home country and a path to citizenship.

Determining what is “fair” however is also a tricky conversation. After all, asylum seekers, by definition, fled their home countries and in doing so, many have been forced to leave everything behind. The complexity of the legal system and standards to which a case must be presented to have a chance at winning, is not accessible to the average person, and even less for someone new to the country or who does not speak the language. The current immigration system does not favor fair.

The participants may have been right to not give a number of a “fair price.” This topic will require further conversation and investigation. In the meantime, this study demonstrates that participants are willing to pay reasonable rates for legal services when they have the resources to do so.

¹¹³ Interviewee, November 19, 2024, 2; Interviewee, November 25, 2024.

¹¹⁴ Interviewee, November 19, 2024, 3.

¹¹⁵ This is based on conversations with legal service providers and pro bono community members in Chicago.

“We have complete confidence when a state attorney would be there supporting us...when we were talking to the state attorneys...I felt so confident. I am where I should be, acquiring truthful information.”

- Focus Group Participant, Oct. 7, 2024

“*Abogado Publico*” – Public Attorneys

Throughout conversations participants would use the phrase, “*abogado publico*” or public attorneys; sometimes it was exchanged with “*abogados del estado*” or

lawyers funded by the government. In most cases, they were referencing the legal staff at the Centralized Workshops or at non-profit organizations which, in the US, are not directly or solely funding by the government.

Pro bono publico is a strong and deep cultural concept in US legal communities. The idea that attorneys have a responsibility to use their legal skills for the betterment of society, and/or to ensure that even the most marginalized have access to the legal system is a growing industry in private law. Bar associations and professional legal associations in the US have standards of pro bono service.¹¹⁶ As the Chicago Bar Foundation recognizes, “Pro bono attorneys play a critical role in making the justice system fairer and more accessible for everyone.”¹¹⁷

While the same concepts apply beyond US borders,¹¹⁸ prevalence of pro bono culture depends on the country and was not a familiar concept for participants in this study. Not only did some not know of the possibility of free legal services from highly-paid, non-governmental lawyers, but they believed one must pay for higher quality services. Some participants also mentioned that attorneys have no reason or incentive to offer free services, or that free services are not as good as paid services.

Furthermore, given the various levels of government corruption in some countries, trust and confidence in services may be an issue when conferring with people perceived to be paid by a government, especially those that can determine the fate of you and your family. A few participants mentioned more trust in government attorneys¹¹⁹ whereas others expressed fear that a government attorney

“There is so much fear of approaching a public attorney because they may not really help because we are not paying.”

- Interviewee, Nov. 15, 2024

¹¹⁶ “Criteria for Inclusion on PILI’s Pro Bono Recognition Roster” *Public Interest Law Initiative (PILI)* <https://pili.org/criteria/>; Illinois State Bar Association (ISBA). “Pro Bono for Lawyers” *ISBA*; American Bar Association. “Pro Bono Reporting” *American Bar Association*

https://www.americanbar.org/groups/probono_public_service/policy/arguments/

¹¹⁷ The Chicago Bar Foundation. “Pro Bono” CBF. <https://chicagobarfoundation.org/pro-bono/>

¹¹⁸ Latham & Watkins along with the Pro Bono Institute note there is significant need for pro bono legal services AND that there are no governmental policies or bar associations in the country that require Venezuelan lawyers to perform this legal philanthropy. Latham & Watkins “Pro bono practices and Opportunities in Venezuela” *Pro Bono Institute*, <https://www.lw.com/admin/upload/SiteAttachments/pro-bono-in-venezuela.pdf>; See more information about pro bono legal systems with Latham & Watkins Global Pro Bono Survey, <https://www.lw.com/en/global-pro-bono-survey/south-america> and the Pro bono Declaration for the Americas, 2008, <https://www.transperfectlegal.com/news/pro-bono-americas-collective-effort>.

¹¹⁹ Focus Group Participant, October 7, 2024.

may try to deport them instead of help them.¹²⁰

These cultural understandings of “public attorneys” implicitly impacted participant’s decisions and actions when accessing immigrant legal services. It is important for legal service providers and cultural orientations sessions to help bridge and clarify these cultural nuances.

Unauthorized Practice of Law and Fraud

Unauthorized practice of law, even if well intentioned, can impede access to legal services. Of the 53 Spanish-speaking participants in the study, ten admitted to suffering the consequences of fraud or knew someone who did. In some cases, SBAs knew they were engaging a person who was not authorized to practice law. In other cases, participants were deceived by the services offered and victims of fraud. Fraud (*estafas*) that participants have personally experienced or heard others experienced, have caused a lack of trust as well as led to financial distress, delays, and mistakes in legal processes. Fraud also contributes to feelings of helplessness among the affected populations.

Participants connected with these illegitimate service providers through various means and at various costs. One participant was approached by a fake lawyer at immigration court. Not only did it cost him \$1500 USD but he was left with an *in absentia* removal order that could result in his deportation, and it complicates his case requiring greater expertise and presenting additional barriers for moving forward.¹²¹ Participants also connected with unauthorized providers via word-of-mouth from other immigrants at shelters or in the community. For example, one participant followed the advice of another immigrant after she encountered setbacks in securing an appointment for her daughter’s papers. This person told her they would file their asylum but then disappeared; she said: “My contact had done papers with them. They asked for part of the money (800 USD), and then I heard nothing more. They didn’t file anything.”¹²² The deceitful interaction cost her more than \$800 USD, it cost her financial well-being and consequently limited her access to basic resources and prevented her from applying to other legal services in the future. These examples show the significant consequences that have come from fraud in the community.

Some participants understood that these providers were not authorized but could still help them. Given the lack of alternatives and desire to move forward, participants paid the unofficial providers for services and the majority reported errors in the filings. For example, a preparer, who was referred by another immigrant, filed an asylum application with incorrect basic details. The participant explained: “A lady referred me to this paralegal...I don't know this person. I paid \$600 to file the asylum application for me and my child. She made mistakes on the application: my child's date of birth is wrong, and points in the story are not correct.”¹²³ Another participant

¹²⁰ Interviewee, November 15, 2024

¹²¹ Interviewee, November 12, 2024, 2.

¹²² Ibid.

¹²³ I Interviewee, November 12, 2024, 1.

was referred to a *'paralegal'* through an acquaintance, who she paid to file for TPS. After paying \$3000 for her family's applications, she learned she was not eligible for TPS; the lady filed the papers because she had done it for others, not because she knew what she was doing.¹²⁴ The participant lost time and money. These examples demonstrate how the gap in the legal services is bridged by unauthorized and untrained individuals. This results in damaged trust, lost money and time, as well as complicating the legal posture of the case.

Two ideas emerged in discussion with legal service providers about unauthorized practice of law. The first is to conduct additional research about unauthorized practice of law in communities to better understand how people are connecting and the consequence. The second is to provide information that empowers immigrants to file complaint mechanisms with the Attorney General or other consumer agencies. Accompanying migrants through this process would also provide insight on how accessible are the State and/or City complaint mechanisms and the probability of recourse. Information from such an investigation would strengthen public information campaigns.

Centralized Workshops: Reflections on Legal Response Services

As Centralized Workshops emerged as a particular response to this humanitarian situation, we took a deeper dive on the data about workshops. These workshops were a main referral point for the community and served thousands of individuals for work authorization and temporary protected status. Individual organizations were also providing smaller scale in-house or pro bono workshops separate from the Centralized Workshops; but participants did not comment on these workshops. As participatory evaluations provide insight on processes, this next section will highlight how the Centralized Workshops were accessed, reflections on the appointment system and, perceptions on workshop services.

Evolution of Centralized Workshops in Chicago

First, as a bit of context to the evolution of these workshops is helpful. Centralized Workshops in Chicago launched in November 2023, more than one year after the first bus arrived from Texas, and were initially limited to people living in shelters.¹²⁵ The initial phase ran four to five days a week from November 2023 – February 2024 and offered legal assistance with employment authorizations based on parole and temporary protected status. The United States Citizenship and Immigration Services (USCIS)¹²⁶ participated in the first phase by issuing receipts and scheduling biometric appoints. Their presence significantly expedited the process for these applicants. More than 3,400 applications were filed in the first phase of the workshops.¹²⁷

¹²⁴ Focus Group Participant, October 26, 2024,2.

¹²⁵ See *Appendix four*: Timeline of legal services for more information. See also Paral, R. "Building a Plane While it's Flying: Illinois Confronts a New Era of Forced Migration" *DePaul Migration Collaborative*. April 2024.

¹²⁶ USCIS is part of the Department of Homeland Security and is the federal administrative agency for immigration processes including work authorizations and temporary protected status. U.S. Citizen and Immigration Services. "Chapter 1: Purpose and Background" *USCIS*.

¹²⁷ Jane Lombardi, Personal Interview, November 2024.

Phase two started in February 2024 and given the growth of the shelter system and arriving population, expanded services to any individual who received state rental assistance or previously resided in a city shelter. The services remained similar to phase one; workshops were held downtown Chicago in a Federal building and were supported by a rotation of staff from nonprofit organizations.

What we call Phase three of the Centralized Workshop coordinated efforts started in September 2024, with a re-focus of funding to a lead organization and an expansion of the workshop model. The Immigrant Legal Support Program intends to provide immigration services at scale and “the program consists of four integral components, which are as follows: 1) Scalable Intake and Screening, 2) Pro-se and Limited-Scope Legal Services 3) Workshops 4) Referral Networks By incorporating these components into a centralized program...”¹²⁸ In effect, workshops were expanded across the state of Illinois to be managed by various sub-grantees. Legal service providing organizations continue to provide in-house and pro bono legal services apart from this grant.

It should also be noted that the Centralized Workshops launched assistance for asylum applications on December 1, 2024, which was the end of data collection for this study. Asylum assistance was the biggest need in the community until that point but legal service providers note it is difficult to scale up limited scope asylum work in this context. We spoke with one participant from this first workshop and her comments are discussed later.

Before sharing analysis of the workshops, we also want to note that the most efficient participant recruitment for this study happened at the workshops in downtown Chicago. Thanks to The Resurrection Project for allowing the research team to speak in person with applicants while they awaited final review of their application, we were able to easily connect with participants. Given the central location combined with scheduling focus groups just after the workshops, we could have easily scheduled numerous additional focus groups. We did not however, as all potential participants were in a similar legal posture and had a well-coordinated process facilitating access to workshops from shelters, thus too many participants with this profile would sway the overall data. That said, workshops could be very productive spaces to collect participant feedback.

Given the direct correlation between shelters and the Centralized Workshops, participants who arrived in late 2023 through mid-2024 often explained the ease, and seemingly an expectation, of attending the workshops.¹²⁹ For some, the Centralized Workshops appeared as an extension

¹²⁸ In mid-2024, the Illinois Department of Human Services opened a funding opportunity to further coordinate immigrant legal services and provide legal services throughout the State. Illinois Department of Human Services, “Immigrant Legal Support Program,” <https://www.dhs.state.il.us/page.aspx?item=164903>.

¹²⁹ “I arrived at the workshop because the shelter brought us there. They gave us a charla about worker rights and common abuses. It was there that I completed the documents for work authorization” Interviewee, November 8, 2024.

of the shelter and humanitarian response: “When we arrived at the shelter [in Chicago] they took us to the hospital and made us apply for state aid and he [the case worker] explained to me that assistance for human rights aid free. Then we connected with the workshop...”¹³⁰

The dyad, previously discussed, was particularly interesting as one participant arrived in September 2023, just prior to Centralized Workshops starting, and the other participant arrived in September 2024 when the system was well-established. They both recognized that their processes were very different because of their arrival dates and the system available to them at that time. Very matter of factly, the participant who arrived in 2023 explained: “The difference now is that he was given legal advice. And a year ago I was not given legal advice.”¹³¹

Migrants also connected to the Centralized Workshops via connections with other SBAs in the shelters.¹³² Given the different staffing at shelters, the ebb and flow of capacity of individuals staying and modifications to policies for transport from shelters to workshops, the referral process from shelters to Workshops shifted during the two-years. One participant initially expressed frustration that she received no guidance from the staff at the shelter where she stayed so instead, in talking with the women who shared the bedroom, she learned where to go and how to get an appointment.¹³³

The existence of the Centralized Workshops and on-line registration also facilitated community-based organizations and other legal service providers to refer individuals to the workshops. As organizational capacity was limited, the Centralized Workshops facilitated more efficient division of resources in the legal community. One participant in the suburbs learned about the workshops at a food bank in Palatine he frequented upon arrival.¹³⁴ Another participant connected with a caseworker at World Relief who helped her make appointments at a variety of institutions, including the Centralized Workshops.¹³⁵ Various others noted that through Centro Romero and the Instituto del Progreso Latino they were referred to the Centralized Workshops.

Communication across the legal service community was key to accessing the workshops; anytime the service structure or scope shifted, that information needs to travel through the system again. For example, in mid-November 2024, the P.I. was interviewing participants at a church in Hanover Park and less than one-mile down the road, a legal service provider and community organization were hosting a legal workshop. Nobody at the church or the participants had heard about the workshop services provided and from which they could have benefited. Furthermore, it was noted that many of the participants at that particular workshop in the suburbs came from the city or a southern suburb.¹³⁶ With each shift in the workshop structure a new ripple of information needed to be pushed through the community.

¹³⁰ Focus Group Participant, October 15, 2024, 1.

¹³¹ Focus Group Participant, October 26, 2024, 2.

¹³² “A friend told me about this workshop... a migrant friend who was in the shelter.” Interviewee, Nov. 24, 2024.

¹³³ Focus Group Participant, October 7, 2024.

¹³⁴ Interviewee, November 22, 2024, 1.

¹³⁵ Interviewee, November 25, 2024.

¹³⁶ Marina Burka. Personal conversation, November 2024.

Comments on the Appointment System and Family Cases

Centralized Workshops are appointment-based services and a couple of the participants commented on issues they had with making appointments.¹³⁷ The two main concerns were registering family members or assisting family units at workshops, and the locations of workshops.

Three participants provided examples of how their family documents were not processed together and this created stress, in addition to additional time and effort for the family. All of these participants attended a workshop in late 2024, or after the reorganization of workshops.¹³⁸ One participant was able to complete work authorization and change of venue for herself at the downtown clinic. At that clinic, they mailed her documents. They could not however process her daughter's application on the same day (she was unclear why). The participant scheduled an appointment at another workshop that ended up being in the Western suburbs. At that clinic they did not mail the applications and the mother left confused at how to do it herself, which delayed the filing of the documents. It should also be noted that this family lives in a Southern suburb and depended on family to transport her to the various workshop locations, more than one-hour in travel time each way.¹³⁹

Two other participants could not schedule appointments for their family unit on the same day. In both cases, a family member was working and could not attend the workshop. Both participants expressed concern that their applications could move forward but their family members were not, because the family needed them to work.¹⁴⁰ While legal standards and confidentiality may require adults to complete, sign and file their applications separately. It is critical for program managers and legal service providers to consider family groups when designing and executing services.

Perceptions on Workshop Services

Overall, participants were pleased and grateful for the workshop services. Here are two quotes from participants who attended Centralized Workshops:

¹³⁷ As a side note, in conducting outreach for participants, the principal investigator spoke with many community members. One community member, US born and highly educated, had been supporting recent arrivals since late 2022. In assisting migrants get appointments at the Centralized Workshops, he and the migrants experienced numerous issues on the WelcomeToIL platform, especially when the workshops started offering assistance for work authorization based on asylum. The eligibility requirements were not clear and excluded the migrants that were eligible for such services. He struggled to get appointments and suggested community members helping this population could also provide feedback about the processes.

¹³⁸ In August 2024, the state of Illinois funded the Immigrant Legal Support Program. See Illinois Department of Human Services, "Immigrant Legal Support Program," <https://www.dhs.state.il.us/page.aspx?item=164903>.

¹³⁹ Interviewee, November 22, 2024, 2.

¹⁴⁰ Interviewee, November 22, 2024, 1; Interviewee, November 25, 2024.

“That workshop was really good. I thought it was a great help for people who are looking to stay in the country. [We need] things like that, more fairs, more opportunities to present your case to people who know and can advise you...One feels grateful because, thank God, one receives help, which normally does not exist in other countries.”¹⁴¹

“When I was there in the federal building, and I think all that happened to all of us, when we were talking to state attorneys, they told us that it was totally free. I felt so confident. I said: ‘I am where I should be, acquiring truthful information.’”¹⁴²

A data discrepancy emerged when analyzing the information submitted by participants to enroll in the study versus the actual experience of the participants. We connected with a few of the participants at the conclusion of the Centralized Workshops, as they were awaiting review of their application for employment authorization or TPS. But, when they completed the initial survey for a focus group, they claimed they had not yet accessed legal services. When asked about the discrepancy, one participant explained that they had started with their work authorization but had more time to start looking for lawyers for their legal case.¹⁴³ He did not register employment authorization as an immigration service.

These few participants provide an interesting perspective on what they consider to be legal services and perhaps a reflection on how the workshop services are portrayed to the community. That said, they were the minority in the study. A participant we met at the first day the Centralized Workshops offered assistance with asylum applications stated: “That workshop was really cool. I thought it was a great help for people who are looking to stay in the country. So, we need more workshops, more opportunities to present your case to people who know and can advise you.”¹⁴⁴

Understanding of workshops processes

Given the complexity of the immigration process and constant changes in policies, it is critical that each person understand their case and their options. Some participants expressed a lot of clarity about what happened at the workshop and what to expect. For example, one participant explained the relationship with the legal service provider, “You are going to sign something at that time [of the workshop]. It is not that this person is going to legally represent you, nor will

¹⁴¹ Interviewee, November 27, 2024

¹⁴² Focus Group Participant, October 15, 2024, 2.

¹⁴³ “We started with a work permit... And, here is a year to do that [apply for asylum...]” FG3, translated; “...they helped with the process of obtaining work permits...but we have not consulted any lawyer, nothing. We know that they exist, but we have not contacted any lawyer about the immigration case...neither public nor private, we have not hired one.” Focus Group Participant, October 7, 2024.

¹⁴⁴ Interviewee, November 27, 2024

he have information or anything to do with you. He is going to take that case for him to review.”¹⁴⁵ This type of explanation is fundamental to properly manage expectations within the community.

One the other hand, even though people were grateful for services, they also expressed confusion. One participant and his wife could not recall where they had filed for asylum; they knew it was a pro se workshop, downtown Chicago, with a lot of people in the room. They had no copy of the applications, no contact information and he was unclear of next steps. Similarly, the participant that we met after the very first Centralized Workshops for asylum explained that while she answered a lot questions and gave a lot of information, she was told to come back another day to talk with the lawyer and complete the application. She left confused as to why she could not finish the application or talk to a lawyer that same day.¹⁴⁶ Launching a new workshop requires a lot of details and planning, as this was the very first day of a new service model, it is understandable that elements would be adjusted for future workshops. One take-away from these examples is that the orientation and conclusion of the workshops are key for participant understanding and to ensure proper next steps.

Overall, the workshops played a major role in ensuring access to legal services for work authorizations and temporary protected status. Workshop operations were significantly influenced by shelter policies and this data shows that participant experience depended on 1.) when they accessed legal services and 2.) the capacity or workshop flow at that location and time. Participants are grateful to move their case forward and for free services but also recognize that the access was also based on luck.

VIII. Conclusion

Participatory evaluations create systems that move beneficiaries away from dependency and powerlessness. As heard in the voices of this study’s participants, individuals seek to contribute to the system from which they benefit. As 50,000 new neighbors weave themselves into the social fabric, their experiences and insights also need to be taken into consideration for programmatic decisions.

The arrival of buses with vulnerable populations took Chicago by surprise. Service providers needed to quickly accommodate thousands of more people in already burdened systems. In the initial months of the humanitarian situation, access to legal services was scattered. As the City of Chicago and State of Illinois maneuvered to provide housing and other triage services, the Federal government also shifted immigration policies. It was chaotic; the lives of SBAs ping-ponged between changes in policies.

¹⁴⁵ Focus Group Participant, October 7, 2024.

¹⁴⁶ Interviewee, November 25, 2024.

Approximately one year after the initial bus arrived, a coordinated legal response launched, largely with the shelter system, to create a Centralized Workshop model that addressed some of the initial legal services this population needed. SBAs who interacted with Chicago's sheltering system had free access to TPS and employment authorization services. It was a major effort to address what the legal community anticipated this population needed. Yet, SBAs continued to be pawns in the system.

Two-years after the initial bus arrival, Centralized Workshops have expanded, the buses have slowed, the emergency sheltering response wound down and a new Federal Administration attempts to dismantle the immigration system. Some SBAs anticipated their day in court in early 2025, but did not know how or where to obtain affordable representation. With over 50,000 SBAs having moved through Chicago-area systems and establishing new communities, as new neighbors, it is essential their voices and perspectives are part of this narrative.

Legal service providers have been under intense pressure to continue to provide legal services to vulnerable populations with high stakes. The lives of the people served and the integrity of the justice system depend on quality standards that cannot be compromised under the pressures of quantity demands. With the current state of politics, continued coordination and communication will keep the community strong. Information is power. Including the experience and ideas of the benefiting population will ensure resources are used most efficiently and with greatest impact.

Chicago, as a Welcoming City, the State of Illinois and residents continue to step up to provide critical humanitarian assistance to individuals and families in vulnerable situations. When faced with unprecedented challenges and limited resources, we continue to respect the dignity and security bestowed by basic human rights.

IX. Recommendations

Recommendations for Legal Service Provision

Legal service providers should review and ensure all services include a clear orientation and practical next-steps component.

Practical and easily digestible information is fundamental. With the amount of information immigrants and asylum seekers need to process to start life in a new country, and comply with their immigration process, clearly organized information helps everyone involved. Some participants explained very clearly the relationship with and services rendered by legal services providers; others, even after participating at full-day workshops, did not understand what were next steps or even the name of the organization with whom they had worked. It is critical for

managing expectations to clearly explain what services you can provide and what services you cannot or will not provide.

Legal service providers must proactively seek to understand, as much as possible, different cultural understandings of legal service provision .

Cultural nuances and experiences impact the way migrants and asylum seekers digest information. Engaging migrants and asylum seekers in program design and evaluation of services is critical to managing cultural differences with effective programming.

Recommendations for Program Design

Engage migrants to learn about their needs, process efficiencies and general impact. Engage other than Spanish-speaking populations. Be specific in what feedback will help refine action plans.

Participatory evaluations provide invaluable insights and bolster community and capacity building. As nationality and language impact the types of immigration relief available and access to service providers, it is indispensable that evaluations include voices from various immigrant communities. There are so many questions and so many topics that would be interesting to learn about, but we need to make sure the questions asked lead to actionable plans and can help both the migrants and the service providers make best use of limited resources. Funders can allow participatory feedback mechanisms and necessary organizational supports as part of funding proposals and key program components.

Program managers and legal services need to consider family group dynamics when designing and executing programs.

Family groups navigate the immigration system differently than individuals. Appointment systems and processing must consider the needs of the family to ensure family unity, security, and peace of mind within the community. A major stressor for families in this study emerged when they could not get family appointments at Centralized Workshops, or their family members experienced different processes at different workshops. Family units face added financial burden for application fees and transportation and mobility.

Not all services can be scaled for higher quantity of services in the same way. Given the high demand for legal services, strategic division of labor that allows for early intervention and recognizes certain expertise can help manage resources.

Conversations with this sample of SBAs elucidated various levels of service provision and insights on how SBAs perceived those levels. Applying for asylum was a main goal for most participants and also where the gap between service needs and delivery started to drastically expand.

Division of labor is necessary to meet demands for legal services and also to ensure efficient use of resources across the legal community. Trained community members— who are not necessarily legal professionals— are indispensable to information management and dissemination. Identifying which legal services are best equipped for administrative legal processes versus complex litigation strategy, and how those players interact, is essential to meet the dynamic needs of the community.

Asylum is a complex process with potentially life or death implications. Centralized Workshops offering limited-scope asylum support launched at the end of 2024; program evaluations of these services need to be closely monitored to ensure positive impact for the community and to identify any unanticipated or potential risks of the model. Legal service organizations should manage risk assessments when scaling in-house or pro bono programs to determine what is healthy and viable for their capacity. Funders can work with service providers in determining practical program measurements and recognize that not all types of services fit into similar service models.

Recommendations for Systemic Enhancements

Continue and enhance coordination of messaging and social media presence within and for the legal services community.

One of the main requests from participants was for in-person information sessions with professionals who can give up-to-date, reliable information but they also acknowledged passive consumption of social media. While the Chicago Mayor's Office of Immigrant, Migrant and Refugee Rights, community navigators, along with service providers are taking action to increase communication efforts, a few specific considerations are:

- Migrants and asylum seekers need to engage with the materials prior to dissemination to help determine what is helpful, and what is confusing or too much information.
- With a dynamic immigration system, these resources will need frequent updating. A committee, or staff person, specifically responsible for public communication engagement with the communities would streamline processes.
- These documents can be disseminated and socialized with community navigators, and in public spaces like the participants suggested such as public libraries, public schools, churches and community centers.
- Similar branding, or some sort of stamp of approval may lead to higher reliability or believability of the information. In addition, more consideration into a fraud proof seal or mechanism would help migrants know their documents are reliable.

Additional investigation into the following topics may be helpful: What informational resources are useful and used by migrant communities? What is the impact of passive consumption of social media? How, and/or how much, do immigrant communities use video tutorials? Do written documents effectively translate to immigrant communities? Or, what do immigrant

communities look for in a written document? And of course, how do cultural nuances or experiences impact effectiveness of such materials between diverse immigrant communities?

Continue to build emergency preparedness efforts amongst legal services and humanitarian services. A lead coordinator or coordination unit will catalyze the process; beneficiary populations must be included in coordination spaces.

Coordination between shelter services and immigration legal services improved over the two years and those efforts facilitated access to basic services for thousands. The SBA situation demonstrated how coordination can facilitate service delivery. In preparation for any future similar situations, continued dialogue is necessary as coordination services is for the benefit of all.

The role of a coordinator lead is vital for ensuring coordination and communication. Similar to a protection cluster lead in the UN, this role is responsible for ensuring communication across units, advocates for the humanitarian response and overseeing standards. Even in the recruitment of participants for this study, community members wanted to provide feedback and suggestions based on their experiences in trying to support the new neighbors. Churches wanted more information and to know how to better coordinate. Legal service providers are busy delivering services but also need to coordinate. This experience showed us the significance of coordinating between multiple stakeholders and a designated lead or unit with a primary task to coordinate needs to keep this going.

More information is needed about the unauthorized practice of law in the community and to empower immigrants to protect themselves from fraud.

Fraud and unauthorized practice of law continues to negatively impact access to justice and migrant well-being. More information is needed about the profile of actors deceiving the communities or engaging in unauthorized practice of law. What are their points of entry with the community? How do they establish their services? What are their sources of information? While many may initially try to stop unauthorized providers, another approach is to evaluate how to call-in the well-intentioned who want to learn. If more service providers are needed, are there better ways to include them in the legal community? For example, could they be the next trained community navigators or DOJ accredited representative? In addition to information about fraudulent systems, it could be empowering to inform more migrants about complaint mechanisms with the Attorney General, the City of Chicago and/or the ARDC^[1], encourage them to file complaints, and follow the results of those actions.

Despite continued challenges - keep hope.

The study affirms one of the biggest gaps in the legal services and immigration system: there are not enough legal service providers to meet the demand of need. The current federal immigration system does not favor justice and the legal community has demonstrated the need for immigration reform for decades. A study of this nature cannot not recognize the humanity

in this work. Service providers, asylum-seekers, and migrants are all humans working in an imperfect system. The community continues to display resilience and resounding commitment not only for justice, but for human dignity. Continued collaboration, mixed with hope and determination, allows this community to continue to evolve and succeed.

X. Appendices

- 1) Timeline of Legal Services from Fall of 2022-2024
- 2) JotForm Questions
- 3) Focus Group and Interview Guiding Questions

Appendix One: A Timeline of Chicago’s Immigration Legal Response: Fall 2022 - 2024

KEY

ASERAP Asylum Seeker Emergency Assistance Program

CBO Community Based Organizations

COA Change of Address

COV Change of Venue

DALE Deferred Action for Labor Enforcement

EAD Employment Authorization Document

FERM Family Expedited Removal Management

ILSP Immigration Legal Support Program

KYR Know Your Rights

MARC Multi-Agency Resource Center

RAD Recent Arrival Docket

SBA Southern Border Arrivals

SIJS Special Immigrant Juvenile Status

TPS Temporary Protected Status

Legal Service Providers, Chicago

CLC Children’s Legal Center

ENH Erie Neighborhood House

LAS of MFS Legal Aid Society of Metropolitan Family Services

LAC Legal Aid Chicago

NIJC National Immigration Justice System

NSLAC North Suburban Legal Aid Clinic

TRP The Resurrection Project

WR World Relief

Government Agencies

DFSS Department of Family Support Services, IL

EOIR Executive Office for Immigration Review

ICE Immigration and Customs Enforcement

IDHS Illinois Department of Human Services

USCIS U.S. Citizenship and Immigration Services

This general timeline of legal services is intended to provide context to the SBA’s comments and experiences. As sheltering services impacted access to legal service, this document also includes milestones in sheltering efforts.

This timeline also serves to document the significant effort of the legal service community to respond to the needs of this population, while continuing to provide services for other migrant and asylum seeking populations.

“Events’ are federal or local policy changes that impacted immigration legal services. Numerous legal service organizations responded to the call to provide data; numerous organizations did not respond. This is not a comprehensive list of legal or sheltering services available during the two-year period

August 2022

Event

Arrival of buses from Texas.

Immigration Legal Services

No coordinated legal emergency response other than individual organizations providing in-house case management. NIJC staffs the Immigration Court Help Desk for triage services within the immigration court. NSLAC: Provides screenings for SBAs at hotels and shelters conducted in one-day mass workshop settings. KYR presentations provided for SBAs at hotels and shelters.

Sheltering Services

Emergency shelters were activated;
Landing zone at Union Station.

September-October 2022

Event

Emergency Declaration issued by Governor Pritzker

Immigration Legal Services

NIJC: Leads general know your rights orientation at the Multi-Agency Resource Center (MARC) NSLAC: legal screenings and KYR for recent arrivals at hotels and shelters in one-day mass workshop settings; LAC: created and conducted legal orientation presentations, reaching over 700 asylum seekers housed in 12 suburban hotels. TRP: Distributed written materials and in-house Spanish-language videos to assist new arrivals and community navigators. These videos were updated to meet evolving needs, including an Individual Hearing video for pro se asylum seekers.

Sheltering Services

Police stations were informally used as safety nets for shelter seekers but not officially designated. Community navigator organizations deployed to greet buses, provide interpretation, and support with shelter triage. The City initially received all arrivals, while the State managed a cohort of singles. Shelters began opening with the DFSS adding the existing shelter pool in 2022. Shield of Hope was designated for families, followed by Freedom Center and Salvation Army emergency winter bed for singles.

November 2022

Sheltering Services

WR: began providing case management and referrals to families housed in hotels near O'Hare. Services included accessing public benefits, healthcare coverage, medical and mental health referrals, and ESL enrollment.

December 2022

Immigration Legal Services

IDHS funds legal services to provide legal orientations, consultations, pro se assistance, and case representation in state-funded hotels primarily. No mass clinics, generally 1:1 consultations or small in-house clinics. Pro bono collaboration with NIJC to pilot model of First Steps/Primeros Pasos triage workshop. CLC: Assigned to provide KYR and conduct intakes at two hotels: focused on applications for TPS, asylum (limited scope), and SIJS. Conduct monthly asylum clinics at Kent Law, average 15-20 families/month. Started pre-covid and continued service.

January-May 2023

Immigration Legal Services

NSLAC: Provides legal services for: asylum, TPS, Parole-based EAD and SIJS.

Sheltering Services

State of IL started to close hotels; refugee support structures bolstered. Housing case management with Catholic Charities/ New Life Centers emerged. Birth of resettlement housing model. Started to reunite families and sponsors.

February 2023

Immigration Legal Services

TRP in-house services start to offer limited scope services via pro se asylum workshops on a monthly basis (full legal screening provided prior to workshop).

Sheltering Services

First hotel closed; Housing Stability Services (HSS) for the Asylum Seeker Emergency Assistance Program (ASERAP) starts

April 2023

Immigration Legal Services

City of Chicago funds legal services for SBAs with small group of organizations to primarily work in shelters - legal orientations, screenings, some pro se assistance and referrals to in house services.

May 2023

Event

Federal: The Family Expedited Removal Management (FERM) program began in Chicago. DOJ announces RAD in Chicago.

Local: B. Johnson sworn in as Mayor of Chicago; Chicago Mayor's Office of Immigrant, Migrant, and Refugee Rights established.

Immigration Legal Services

Pro bono collaboration with NIJC to provide limited scope representation on FERM cases; NIJC established limited and full representation support for RAD cases.

Sheltering Services

All hotels closed by May 11.

WR: Case management and referrals at hotels near O'Hare concluded

May 11, 2023

Event

End of Title 42; US Southern Border is Re-Opened.
Migration numbers surged 2-3 weeks after May 11, prompting shelter expansion.

June 2023

Event

SBAs start to arrive to Chicago via airplane

Immigration Legal Services

LAS of MFS offered in-person legal screenings at a few shelters around the city.

July 2023

Immigration Legal Services

WelcometoIL.org launched as centralized portal connecting recent arrivals with resources and legal services; NIJC starts to host monthly pro-se asylum workshops with pro bono community (10 applicants/workshop). WR: assisted new arrivals at police stations with referrals

Sheltering Services

Airport staging area established due to overflow of people

August 2023

Immigration Legal Services

TRP concludes first phase of legal workshops: legal representatives screened 3,704 people for TPS and EAD (through parole); USCIS processed 3,428 applications, nearly 40% (1362) received EADs; NIJC starts in-house and pro bono EAD clinics for asylum seekers.

September 20, 2023

September 2023

Immigration Legal Services

ENH: Starts on site screening at city shelters for recent arrivals. Services included limited scope assistance to help individuals file asylum applications (I-589), motions to change venue, and court address changes.

Event

Venezuela re-designation for TPS.

Immigration Legal Services

LAS of MFS increased legal screening clinics; ENH started on-site screenings at city shelters for recent arrivals

Sheltering Services

Increased coordination between State of IL and City of Chicago on housing.

October 2023

Sheltering Services

Highest number of SBAs-- 2,500 individuals/week

November 2023

Immigration Legal Services

TRP and partners launch of mass TPS/EAD workshops with USCIS co-location in Chicago; exclusively for current shelter residents. Workshops run 4-5 days/week averaging 150 applicants per day. USCIS participates in TRP workshops to facilitate biometrics and receipts

Sheltering Services

11/17/2024- Policy changes: 60 day shelter stay limit; State, end of rental assistance policy and passed the bus ordinance. Drop offs shifted to the suburbs. People arriving after that date were not eligible for rental assistance; landing zone moved to 800 S. DesPlaines (final location);

December 2023

Immigration Legal Services

ENH/NIJC/LAS of MFS/CR (Centro Romero): Staff Centralized workshops. Assistance included support for TPS and EADs

Sheltering Services

Moved last people from emergency police and airport staging areas to shelters

January 2024

Immigration Legal Services

LAC: hosted monthly in-house pro se asylum clinics, filing limited-scope defensive asylum applications for 10–15 principal and derivative applicants per month, assessing whether derivative applications were necessary. Continued to file changes of address with EOIR, CIS, and ICE, as well as COV
NSLAC: stopped screenings and KYR in shelters

Sheltering Services

Peak of capacity in shelters, 28 shelters and 15k shelter residents

February 2024

Immigration Legal Services

TRP coordinates Phase 2 of Centralized Workshops for SBAs who have received city or state-funded rental assistance (ASERAP) or have previously resided in a city shelter. LAS, with CBOs, launched the Centralized Immigration Legal Services Center located at 401 S Clinton. Offered comprehensive immigration legal screenings and pro se asylum application preparation through Aug. 2024.

March 2024

Immigration Legal Services

LAS of MFS launched asylum workshops for recent arrivals (COV and COA support, comprehensive screenings, 2-day asylum process)

Sheltering Services

Park district shelter locations start to close

June 2024

Event

End of fiscal year funding; new request for proposals from IL State

Immigration Legal Services

Centralized Clinic TPS/EAD workshops open to anyone who qualifies for TPS/EAD regardless of housing status; workshops reduced to three days a week.

LAC: began leading the local response to the RAD, including: presence in court on RAD days to provide KYR materials and assess case dockets.

Filing oral (friend of the court) and written (limited representation) motions for removing respondents from the docket, consolidating cases, changing venues, and reopening proceedings; Assisting with ICE check-ins and advocating to remove ankle monitors; Filing asylum applications and preparing clients for Individual Hearings.

August 2024

Immigration Legal Services

WR: provides resettlement services + legal services.

September 2024

Immigration Legal Services

IDHS centralizes all legal rapid response funding into ILSP. TRP and partners replicate Chicago workshop model to expand across the state (Northern IL, Western Suburbs, Central & Downstate, Chicago) to include TPS, EAD, Asylum, DALE; presence in Chicago Immigration Court with particular focus on supporting individuals on Recent Arrival Docket

NSLAC: ILSP workshops in the suburbs with TPS and EAD.

October 2024

Sheltering Services

Beginning of demobilization and efforts to decompress shelters.

November 5, 2024

Event

Federal Elections; Donald Trump, president elect.

Sheltering Services

Shifted shelter policies, landing zone and access to the system. Limiting access to shelter to SBAs in the US less than 30 days. Creation of New Arrivals resource guide, posted on-line.

December 2024

Immigration Legal Services

Start of asylum pro se workshop at TRP. LAC: Began offering pro se plus services for respondents on all dockets through a roving "Attorney of the Day" program, including:

Filing motions to reopen, COV and COA; Providing KYR flyers to Respondents; Assessing the procedural posture of cases; Managing "rocket dockets" (Monday–Wednesday) and assisting Respondents on Thursdays.

Sheltering Services

Shelters shifting to One System Initiative; Landing Zone formally closed. Shelter Placement and Resource Center (SPARC) established.

Below are the lists of questions used during the research. The first list includes the questions on the JotForm survey used to express interest in the study and collect basic information on potential participants. The second list includes the guiding questions used in focus groups and interviews, plus a few additional questions that were used depending on time and the discussion. All questions were available in Spanish and English. The JotForm was also available in Haitian Creole and the guiding questions for the Haitian group were interpreted in English.

Appendix Two: Jotform Questions to Express Interest in the Study

Spanish:

1. ¿Cual es su idioma de preferencia?*
2. Aproximadamente, cuando llegó usted a Chicago?*
3. ¿Cual es su país de origen?*
4. ¿Cuántos años tiene usted? (rango de edad)*
5. ¿Ha accedido a servicios legales de inmigración en Chicago?*
6. ¿Llegó a Chicago con familia o sin familia?
7. ¿Donde obtuvo Información sobre los servicios legales de inmigración? (seleccione todo que aplique)
8. ¿Ha pagado por servicios legales o una consulta legal en Chicago?
9. ¿Ha recibido la ayuda que desea o cree que necesita?
10. A qué tipo de servicio legal de inmigración ha accedido? (seleccione todas las opciones que correspondan)
11. ¿Algo más quiere añadir o clarificar?
12. Para que ha tipo de caso ha buscado servicios legales de inmigración? (selecciona todas las opciones que correspondan)
13. ¿Como se identifica su género?
14. ¿Cuál es su número de teléfono? *
15. ¿Cuál es su correo electrónico?
16. Su nombre:*

English:

1. What is your preferred language?*
2. Approximately when did you arrive in Chicago?*
3. What is your country of origin?*
4. How old are you? (age range)*
5. Have you accessed immigration legal services in Chicago?*
6. Did you come to Chicago with family or without family?
7. Where did you obtain information about immigration legal services? (select all that apply)
8. Have you paid for legal services or a legal consultation in Chicago? (apart from the costs of immigration applications)
9. Have you received the help you want or think you need?
10. What type of immigration legal services have you accessed? (select all that apply)
11. Anything else you want to add or clarify?
12. For what type of case have you sought immigration legal services? (select all that apply)
13. How do you identify your gender? *
14. What is your phone number? *
15. What is your email?
16. Your name:*

Appendix Three: Guiding Questions for Focus Groups and Interviews

Spanish:

1. ¿Cuáles fueron algunos de los factores que le ayudaron o le empujaron a buscar ayuda legal para su caso de inmigración?
2. ¿Cuáles son algunos de los factores que le impidieron o le dificultaron obtener ayuda legal para su caso de inmigración?
3. ¿Cómo y dónde accedieron a los servicios legales para su caso de inmigración?* For interviews: ¿Puede explicar cómo y dónde accedió a servicios legales de inmigración? O, ¿intentó acceder a servicios legales?
4. Si pudiera hacer algo para mejorar la asistencia para los servicios de inmigración, ¿qué haría?
5. Si tuviera la opción, ¿dónde cree que viviría dentro de un o dos años? ¿Dentro de cinco años?
6. ¿Algún comentario final?

Preguntas adicionales:

1. ¿Cual es la influencia de los medios sociales? ¿Y las fuentes de información que más utilice?
2. ¿Que les diría a los que vienen?
3. ¿Que diría a los tomadores de decisiones? EG: El alcalde o presidente?
4. ¿Usted sabe si aplicar para el asilo es su única opción?

English

1. What were some of the factors that helped you or drove you to seek legal help?
2. What are some of the factors that prevented you or made it difficult to get legal help?
3. How and where did you access immigration legal services?
4. If you could do something to make assistance for immigration services better, what would you do?
5. If you have a choice, where do you think you will be living a year or two from now?
6. Any final comments?

Additional Questions (if appropriate)

1. What is the influence of social media for accessing legal services? And what sources of information do you use the most?
2. What would you say to immigrants who will come to Chicago?
3. What would you say to decision makers? EG: The mayor or president?
4. Do you know if applying for asylum is your only option?