

# Charitable Legal Immigration Programs and the US Undocumented Population: A Study in Access to Justice in an Era of Political Dysfunction

**Donald Kerwin**  
**Evin Millet\***

*Center for Migration Studies of New York*

## Executive Summary

This study examines the legal capacity available to low-income immigrants on national, state and sub-state levels. Legal professionals working in charitable immigration service programs serve as the study's rough proxy for legal capacity, and undocumented immigrants its proxy for legal need. The Center for Migration Studies of New York (CMS) compiled data on charitable immigration programs and their legal professionals from the:

- US Department of Justice's (DOJ's) "Recognized Organizations and Accredited Representatives Roster by State and City," which is maintained by the Executive Office for Immigration Review's (EOIR's) Office of Legal Access Programs (OLAP).
- Directories of two leading, legal support agencies for charitable immigration legal programs, the Catholic Legal Immigration Network, Inc. (CLINIC) and the Immigrant Advocates Network (IAN).

CMS supplemented and updated these sources with information from the websites of charitable immigration programs. It also added legal programs to its dataset that did not appear in any of these lists. It counted as legal professionals, attorneys, federally accredited non-attorneys, paralegals and legal assistants. The paper finds that there are 1,413 undocumented persons in the United States for every charitable legal professional, and far less capacity than the national average in:

- States such as Alabama (6,656 undocumented per legal professional), Hawaii (4,506), Kansas (3,010), Georgia (2,853), New Jersey (2,687), Florida (2,681), North Carolina (2,671), Virginia (2,634) and Arizona (2,561).
- Metropolitan areas (MAs) such as Riverside-San Bernardino-Ontario (5,307), Dallas-Fort Worth-Arlington (4,436), Phoenix-Mesa-Scottsdale (3,439) and Houston-The Woodlands-Sugar Land (3,099).
- San Bernardino County (6,178), Clark County (4,747), Riverside County (4,625), Tarrant County (3,955) and Dallas County (3,939).

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## Corresponding Author:

Donald Kerwin, Center for Migration Studies of New York, 307 East 60th Street, Fourth Floor, New York, NY, USA.

Email: donaldkerwin@yahoo.com

The study's introduction summarizes its top-line findings. Its first section describes the importance of charitable immigration legal programs to immigrants, families and communities. Its second details the study's findings on charitable legal capacity and immigrant need. Its third compares the legal capacity of 1,803 charitable legal programs and their 7,322 legal professionals, with the US undocumented population by state and for the 15 largest MAs and counties. Its fourth describes CMS's research methodology and data sources. The paper ends with policy recommendations on how to expand legal capacity for low-income immigrants and better assess legal capacity and need moving forward.

## Keywords

legal representation, access to justice, due process, charitable legal services, pro bono immigration services

## Introduction

This study highlights the need to expand low-cost and no-cost legal assistance in immigration-related matters. It finds that there is one legal professional working for a charitable immigration program for every 1,413 undocumented persons in the United States.<sup>1</sup> It identifies legal capacity "deserts" – areas with far too few legal immigration professionals – by state and large metropolitan areas (MAs) and counties. For this study, the Center for Migration Studies of New York (CMS) compiled a dataset of 1,803 charitable immigration legal programs, which are located in 49 states and the District of Columbia. The paper finds that:

- Fifty-four percent of these programs and 59 percent of their legal professionals are located in seven states – California, Texas, Florida, New York, New Jersey, Illinois and Georgia. However, nearly 64 percent of the nation's undocumented residents reside in these states (Table A).
- By contrast, Washington, DC, New Hampshire, South Dakota, Wyoming, Maine, Vermont, Alaska, West Virginia and Montana are home to just 52,600 undocumented residents (.5 percent of the total). However, their 243 legal professionals represent more than 3 percent of the nation's immigration charitable legal professionals (Table A). These states collectively enjoy more charitable legal capacity per

undocumented immigrant than the seven states with the largest numbers of undocumented residents.

- The comparatively small number of fully accredited representatives (277 or roughly 14 percent of all accredited representatives) provide important services at a time of substantial demand in US immigration courts, but their numbers pale in comparison to court workloads and backlogs.
- California is home to nearly 22 percent of the US undocumented population, 19 percent of charitable immigration legal programs, and nearly 20 percent of legal professionals.
- Los Angeles County is home to 7 percent of the US undocumented population, 4 percent of the nation's charitable immigration legal programs, and 6 percent of its immigration legal professionals.
- There are stark differences in charitable legal capacity among states with large numbers of undocumented residents, and among those with smaller undocumented populations. Of the 25 states with the largest undocumented populations, Georgia, New Jersey, Florida, North Carolina, Virginia and Arizona enjoy far less legal capacity per undocumented resident than New York, Massachusetts, Michigan and Pennsylvania (Table B).
- Of the 25 states and Washington, DC with the lowest undocumented populations, Alabama, Hawaii, Kansas, Arkansas and Wisconsin have far less charitable immigration legal capacity per undocumented resident, than West Virginia, Washington, DC, Montana, Maine, Wyoming, Iowa, Vermont, Nebraska,

<sup>1</sup>This paper uses the term "charitable immigration legal programs" to describe programs devoted to providing no- and low-cost legal services on immigration matters. These programs are mostly located within larger charitable organizations.

South Dakota, Louisiana, Alaska, Kentucky and Delaware (Table B).

- The states with the fewest undocumented residents per charitable legal professional – those with the *most* legal capacity – are West Virginia (80 undocumented for every legal professional), Washington, DC (110), Montana (173), Maine (208), Wyoming (249), Iowa (357), Vermont (504), Nebraska (512), New York (542) and South Dakota (542) (Table B).
- No states enjoy a glut of charitable immigration legal capacity, but the following states have far less capacity than the national average: Alabama (6,656 undocumented per legal professional), Hawaii (4,506), Kansas (3,010), Georgia (2,853), New Jersey (2,687), Florida (2,681), North Carolina (2,671), Virginia (2,634) and Arizona (2,561) (Table B).
- The states with the fewest undocumented residents per charitable immigration *attorney* are West Virginia (133 undocumented per attorney), Washington, DC (147), Maine (364), Iowa (488), Alaska (697), Montana (866), Vermont (881), Kentucky (900), New York (952), Wyoming (998), Michigan (1,112), Louisiana (1,160), Minnesota (1,239), Nebraska (1,359), Delaware (1,459) and New Hampshire (1,490) (Table B).
- Hawaii (31,541 undocumented per attorney), Arkansas (15,007), Arizona (12,931), Kansas (12,040), Rhode Island (8,733), North Carolina (8,457), Utah (8,244) and Georgia (8,072) have the most undocumented per charitable immigration *attorney* and, thus, the least capacity measured in this way (Table B).
- The states with the lowest numbers of undocumented residents per *accredited representative* and, thus, with the most legal capacity measured in this way are: Montana (289 undocumented residents per accredited representative), Maine (872), Washington, DC (1,360), Nebraska (1,408) and Rhode Island (1,455) (Table B).
- Nevada (19,896 undocumented per accredited representative), Georgia (10,342), South Carolina (9,999), Florida (9,718), Virginia (9,656), Texas (9,378), Tennessee (8,681), Maryland (8,554), New Jersey (8,543), Alabama (7,488) and Kentucky (7,203) have the largest numbers of undocumented residents per *accredited representative*, indicating low legal capacity (Table B).
- Rhode Island has among the lowest number of undocumented residents per *accredited representative* (1,455 undocumented), but the most undocumented residents per *attorney* (8,733) (Table B). It has low overall numbers of accredited representatives (18), attorneys (3) and undocumented immigrants (26,200).
- The nation's 15 largest metropolitan areas (MAs) by population are home to 54.5 percent of US undocumented residents, but only 51 percent of its charitable immigration legal professionals (Table 1).
- There is significantly greater capacity – measured by all legal professionals— in the MAs of Boston-Cambridge-Newton (621 undocumented per legal professional), San Francisco-Oakland-Hayward (761), and New York-Newark-Jersey City (849), than in Riverside-San Bernardino-Ontario (5,307), Dallas-Fort Worth-Arlington (4,436), Phoenix-Mesa-Scottsdale (3,439) and Houston-The Woodlands-Sugar Land (3,009) (Table 2).
- A total of only 229 accredited representatives (11.6 percent of the nation's total) serve the MAs of Detroit-Warren-Dearborn (17), Miami-Fort Lauderdale-West Palm Beach (20), Boston-Cambridge-Newton (30), Riverside-San Bernardino-Ontario (30), Philadelphia-Camden-Wilmington (31), Atlanta-Sandy Springs-Roswell (31), Houston-The Woodlands-Sugar Land (35), and Washington, DC-Arlington-Alexandria (35) (Table 1). Yet, 21 percent of the nation's undocumented resides in these communities.
- Disparities within categories of legal professionals can be stark. Seattle-Tacoma-Bellevue, for example, has one accredited representative for every 2,302 undocumented residents, compared to Miami-Fort Lauderdale-West Palm Beach, which has one for every 20,665 undocumented residents (Table 2).
- The mix of legal professionals varies significantly across geographies. There are far more accredited representatives than there are charitable immigration attorneys in the Riverside-San

Bernardino-Ontario and Phoenix-Mesa-Scottsdale MAs (Table 2).

- In contrast, there are more charitable immigration attorneys than accredited representatives in the New York-Newark-Jersey City, Washington, DC-Arlington-Alexandria, San Francisco-Oakland-Hayward, Boston-Cambridge-Newton, Miami-Fort Lauderdale-West Palm Beach and Houston-The Woodlands-Sugarland MAs (Table 2).
- The nation's 15 largest counties are home to one-third of its undocumented residents, but 25 percent of its charitable legal professionals (Table 3).
- Of these counties, King's County (668 undocumented per legal professional), Cook County (917) and San Diego County (998) enjoy the most charitable legal capacity, and San Bernardino County (6,178), Clark County (4,747), Riverside County (4,625), Tarrant County (3,955) and Dallas County (3,939) the least (Table 4).
- San Diego County has one accredited *representative* for every 2,376 undocumented residents, compared to Harris County, which has one accredited representative for every 14,246 undocumented residents (Table 4).
- There are fewer charitable immigration *attorneys* than there are accredited representatives in Maricopa County and Orange County, and the opposite is true in Kings County, Los Angeles County and Miami-Dade County (Table 3).

## The Work of Charitable Immigration Legal Programs

Charitable immigration legal programs do not alone provide legal assistance to low-income immigrants.<sup>2</sup> However, they exist for this very purpose. The largest cohort of these programs operates in charitable agencies that have received "recognition" from the US Department of Justice's (DOJ's) Executive Office for Immigrant Review (EOIR). Recognition, in turn, allows their "accredited" non-attorney staff to represent

immigrants. Other charitable immigration legal programs forego the recognition and accreditation process because they employ attorneys and paralegals, and do not see the need for accredited representatives. In many communities, charitable immigration legal programs compete to assist immigrants with "notarios" and other unauthorized practitioners.

The federal recognition and accreditation process began in 1958 (ABA 1994), with the goal of increasing "the availability of competent immigration legal representation for low-income and indigent persons" (EOIR 2021). EOIR is the office within DOJ responsible for administering and overseeing the US immigration court system and its appeals court, the Board of Immigration Appeals (BIA).<sup>3</sup> EOIR's Office of Legal Access Programs (OLAP) maintains a listing of recognized charitable agencies and their accredited staff, entitled "Recognized Organizations and Accredited Representatives Roster by State and City."

To secure accreditation, non-attorney staff and volunteers of recognized agencies must possess sufficient knowledge, experience and training to provide legal representation before the Department of Homeland Security's (DHS's) US Citizenship and Immigration Services (USCIS) (partial accreditation) and to persons in removal proceedings in immigration court or before the Board of Immigration Appeals (BIA) (full accreditation).<sup>4</sup> The federal immigration regulations also allow for representation in certain circumstances by law students and law school graduates not admitted to the bar, "reputable individuals" in individual cases, and accredited officials of foreign states.<sup>5</sup>

Charitable legal immigration programs are a mainstay of US immigrant communities. They accommodate immense amounts of legal work on a day-to-day basis, assisting immigrants to secure status (legalize) based on family ties, employment, and humanitarian considerations; to adjust to lawful permanent resident (LPR) status; to naturalize; and to obtain immigration-related benefits, such as employment authorization. The COVID-19 pandemic led charitable immigration legal

<sup>2</sup>Pro bono attorneys, small immigration law firms, solo practitioners, law school clinics and corporate legal counsel also provide low- and no-cost legal assistance.

<sup>3</sup>For a listing of these courts, please see <https://www.justice.gov/eoir/eoir-immigration-court-listing>

<sup>4</sup>Immigration and Nationality Act (INA) §292.

<sup>5</sup>8 CFR § 1292.1(a).

programs and other immigrant-serving entities to provide more services virtually and to rely more heavily on technology to communicate with clients and immigrant communities (CLINIC 2021*b*; Kerwin and Alulema 2021, 283–85). These developments have the potential to expand immigrants' access to services, while reducing their time away from other significant commitments, such as school, work and daycare. They also provide immigration legal programs additional ways to connect with hard-to-serve immigrants.

Legal representation also creates legal pathways for future immigrants, such as the close family members of newly minted LPRs and naturalized citizens (Kerwin and Warren 2019*b*, 37–40). Charitable immigration programs also provide reliable information and services (such as English language classes) to many more immigrants that chose to pursue immigration status, relief or immigration-related benefits on their own.

These programs play a central role in implementing special legal status programs, such as Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA), and in naturalization campaigns. In this work, they partner with a range of public agencies, community-based organizations (CBOs) and community navigators. The latter provide basic information on legal processes, eligibility criteria and available services, thus leveraging the services of charitable legal professionals.

Charitable immigration legal programs also operate collectively as a kind of counter-cyclical industry: Their work is in high demand during difficult periods for immigrants, such as when presidential administrations, federal agencies and Congress set additional hurdles to legal status or pursue policy strategies intended to dissuade them from seeking status and immigration benefits.

The ability of US immigrants to gain and advance in legal status is a well-established metric of immigrant integration, and strongly correlated with increased wages, housing and health insurance (Kerwin and Warren 2019*a*, 2-3). Legal representation also “helps keep families together, improves the stability of the workforce, increases tax revenues, and helps protect people from abuse by unscrupulous employers, landlords, and others” (Atkinson and Wong 2018, 5).

The US immigration system is difficult and, for many, impossible to negotiate successfully without legal representation. Over the last two decades, a significant literature has emerged that demonstrates the striking difference legal representation makes in asylum and other case outcomes (Eagly and Shafer 2015; Kerwin 2005, 5-6; Markowitz *et al.* 2011; Ramji-Nogales, Schoenholtz and Schrag 2007, 384; ).<sup>6</sup> This research understandably centers on removal proceedings given their procedural and legal complexity and their adversarial nature. Exacerbating matters, Immigration and Customs Enforcement (ICE) trial attorneys view their role as akin to “prosecutors” in criminal trials, although removal is a civil process.<sup>7</sup> The importance of legal representation is further underscored by the immense human consequences of removal, which can impoverish families (Boyce and Launius 2020), sever parent-child relationships, and return immigrants to perilous conditions. No less than James Madison, a principal architect of the US Constitution, chief author of the Bill of Rights, and co-author of the Federalist Papers, characterized the removal of a non-citizen as “banishment” from:

“... a country, where he may have formed the most tender of connections, where he may have vested his entire property, and acquired property of the real and permanent, as well as the moveable and temporary kind; where he enjoys under the laws, a greater share of the blessings of personal security and personal liberty, than he can elsewhere hope for...” (Madison 1800).

Given these stakes, cities and counties have established more than 15 “universal representation” programs for persons in removal proceedings (Nash 2018) and advocates have argued for government-funded legal counsel in these cases (Chen and Loweree 2021). In addition, EOIR offers important legal orientation, education and representation programs (Kerwin 2020).

In contrast, the impact of legal representation on applications, petitions and requests for immigration benefits from USCIS has received little scholarly attention. This is surprising given the fact that these

<sup>6</sup>Variables such as the individual judge assigned to a case (Ramji-Nogales, Schoenholtz, and Schrag 2009, 40-53) and detention (Eagly and Shafer 2015, 16, 32, 49) also strongly influence case outcomes.

<sup>7</sup>Administrative, summary and expedited removals carried out by DHS officials account for the lion's share of removals (Kerwin 2015, 181-83; ACLU 2014; ABA 2010, 1-36).

applications are the principal way that millions of immigrants each year gain or advance in status.<sup>8</sup> Between fiscal years (FY) 2017 and 2020, the number of applications, petitions and requests for benefits to USCIS fell from 9.2 to 7.7 million (USCIS 2021a, 19–22) due to the COVID-19 pandemic (*ibid.*, 2) and the Trump administration's efforts to stem legal immigration through administrative means (Guttentag 2021; Kerwin and Warren 2019a). In FY 2021, USCIS received more than 8.8 million applications (USCIS 2021b).

Policymakers, researchers and funders turn to charitable immigration legal programs in response to concerns over implementation of special legal status programs or possible legalization programs (de Leon and Roach 2013; Kerwin, Pacas and Warren 2022). The Committee on Immigration Reform Implementation (CIRI), for example, produced a particularly valuable study on immigrant-serving programs in anticipation of the expanded DACA and Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) programs (Kamasaki, Timmons and Tudi 2015).<sup>9</sup> The study offered estimates based on different operational scenarios related to the funding and staffing needs of these programs. The CIRI analysis drew from the experience of qualified designated entities (QDEs) under the Immigration Reform and Control Act of 1986<sup>10</sup> and on the work of immigrant-serving agencies in implementing DACA.

A 2020 study by Stanford University's Immigration Policy Lab drew on the DOJ/EOIR roster, IAN's directory, and immigrant-serving agencies in the Aunt Bertha social service search and referral platform to identify 2,138 "immigrant legal service provider" (ISP) offices (Yasenov *et al.* 2020). The study compared the location of these offices, with

ACS data by zip code on low-income foreign-born persons; i.e., those living in households with income of less than 150 percent of the federal poverty guidelines. It concluded that 1.5 million low-income immigrants did not live within 12 miles of an ISP office "as the crow flies" and urged the addition of ISPs to underserved locations and the "rearranging" of existing ISPs to optimize access to no and low-cost legal services (*ibid.*, 4, 9–10).

Such studies acknowledge the important role of already overtaxed charitable immigration legal programs and other CBOs in application assistance, public education, English language instruction, and as trusted sources of services and information to immigrant communities. They argue for greater public and private support for these programs, particularly in response to immigration opportunities (special status or potential legalization programs) and crises (crackdowns on immigrant communities).

At least three studies have also identified legal screening of the undocumented as a crucial step in implementing special legal status programs (Atkinson and Wong 2018; Kerwin *et al.* 2017; Wong *et al.* 2014). These studies have found that between 14 and 25 percent of the undocumented are potentially eligible for legal status, typically for permanent residence. By contrast, special legal status programs confer only temporary status. One study, which screened 4,070 undocumented immigrants in 12 states, identified "more than two dozen people ... likely to be able to prove they are US citizens" (Atkinson and Wong 2018, 2). Another study based on a survey of 67 immigrant-serving organizations found "a statistically significant relationship" between the capacity of these organizations (defined by total number of paid staff) and "the efficacy" of their legal screening, as measured by the number of screened immigrants found eligible for DACA and some other immigration benefit or relief (Wong *et al.* 2014, 296–97).

## Research Findings

For this study, CMS compiled a dataset of 1,803 charitable immigration legal programs and 7,322 legal professionals (Table A). CMS counts attorneys, accredited representatives, paralegals and legal

<sup>8</sup>Schoenholtz, Schrag, and Ramji-Nogales (2014, 160–61) examined outcomes in affirmative asylum cases (before USCIS asylum officers) from 1996 through 2009. They found that USCIS asylum officers granted asylum to 50 percent of represented claimants during this 14-year period, compared to 42 percent of those without representation.

<sup>9</sup>President Obama announced the establishment of DAPA and expanded DACA in November 2014, but these programs were blocked in federal court and rescinded by DHS in the early months of the Trump administration.

<sup>10</sup>Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3445 (Nov. 6, 1986).

assistants as legal professionals.<sup>11</sup> Differences in the numbers of charitable immigration legal programs and legal staff identified in relevant studies over the last decade can be attributed to differences in research methodology and focus, and to the expansion of charitable legal networks over time.<sup>12</sup>

The legal programs in the CMS dataset are located in 49 states and the District of Columbia, but are concentrated in a small number of states with large numbers of undocumented residents. Fifty-four percent of the charitable legal programs and 59 percent of the legal professionals are located in seven states – California, Texas, Florida, New York, New Jersey, Illinois and Georgia. However, nearly 64 percent of the nation's undocumented residents reside in these states (Table A). These findings point to the relative lack of charitable immigration legal capacity in states with the largest populations of undocumented residents.

By contrast, Washington, DC, New Hampshire, South Dakota, Wyoming, Maine, Vermont, Alaska, West Virginia and Montana are home to just 52,600 undocumented residents (.5 percent of the total), but have 3 percent of the nation's charitable immigration legal programs and slightly more than 3 percent of the legal professionals (Table A). In other words, these states collectively enjoy greater charitable capacity per undocumented immigrant than the seven states with the largest numbers of undocumented residents. Map 1 illustrates this disparity. The reddest states have the most undocumented residents per attorney and accredited representative, and thus the lowest legal capacity measured in this way.

This study identifies the comparatively small number of fully accredited representatives – 277 or roughly 14 percent of all accredited representatives (Table A).<sup>13</sup> California (73), Texas (44), New York (27), Illinois (19) and Florida (11) account for 63 percent of fully accredited representatives.

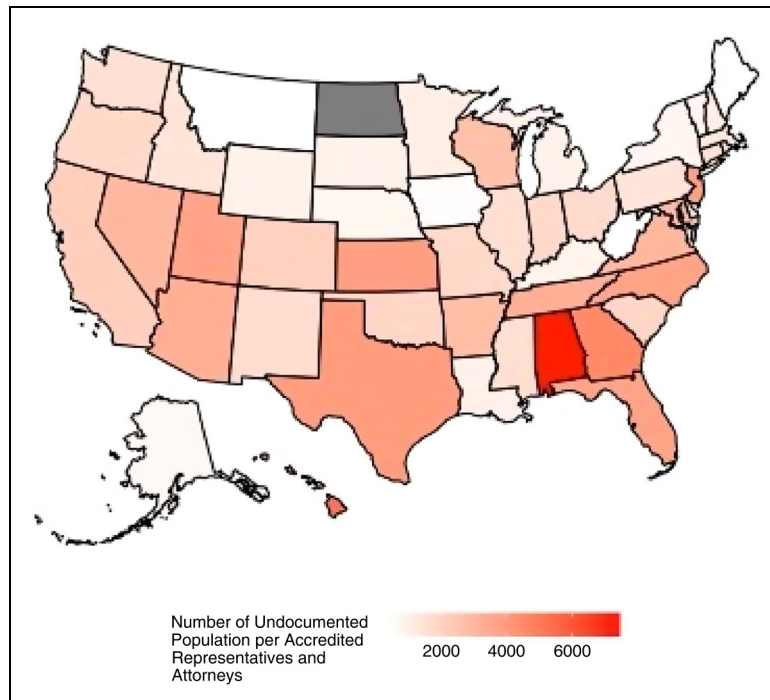
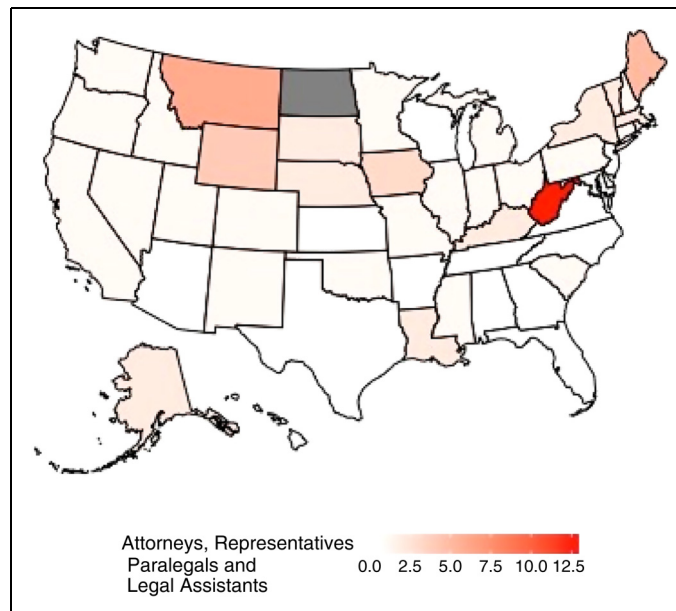
Like attorneys, fully accredited representatives can represent immigrants in removal proceedings at a time of significant stress on the immigration court system (LaSusa 2022). On the other hand, many fully accredited representatives handle a combination of removal cases and USCIS petitions, applications and requests for immigration benefits. This is due, in part, to the high cost to these programs of removal defense work, compared to the cost to them of representation before USCIS. Since 1997, charitable immigration legal programs have understood that their financial and programmatic viability depends, in part, on adherence to appropriate case selection policies (CLINIC, LIRS and IRSA 1997). Even if fully accredited representatives limited their work to removal proceedings, however, their modest numbers would still pale in comparison to the crushing immigration court workload and backlog of pending court cases that, by one estimate, exceeded 1.8 million at the end of June 2022 (TRAC 2022).

Map 2 illustrates the distribution by state of (all) legal professionals per 1,000 undocumented immigrants, with the red shades signifying greater legal capacity (Table E). Of the 25 states with the largest undocumented populations, Georgia, New Jersey, Florida, North Carolina, Virginia and Arizona have far less legal capacity per undocumented resident than New York, Massachusetts, Michigan, and Pennsylvania (Table B). Of the 25 states and Washington, DC with the smallest undocumented populations, Alabama, Hawaii, Kansas, Arkansas and Wisconsin have far less legal capacity per undocumented resident, than West Virginia, Washington, DC, Montana, Maine, Wyoming, Iowa, Vermont, Nebraska, South Dakota, Louisiana, Alaska, Kentucky and Delaware (Table B).

<sup>11</sup> DOJ/EOIR defines paralegals as “professionals who assist attorneys in the practice of law,” but who “are not themselves licensed to practice law and therefore may not represent parties” in immigration court or before the Board of Immigration Appeals (EOIR 2020, §2.6). CMS adopted the same definition for legal assistants, but kept the two categories distinct for analytical purposes.

<sup>12</sup> An important 2013 Urban Institute study, for example, identified 684 non-profit organizations providing legal aid to immigrants, drawing from the IAN and CLINIC directories and the National Center for Charitable Statistics (NCCS) database (de Leon and Roach 2013, 5-6). The 2015 study by the Committee for Immigration Reform Implementation (CIRI) reported on the 852 recognized agencies on the DOJ/EOIR roster and identified 4,687 legal staff from the roster and IAN directory (Kamasaki, Timmons, and Tudi 2015, 293-94).

<sup>13</sup> In 49 cases, CMS could not identify whether representatives were partially or fully accredited. CMS added these representatives to the total, but not to the lists of partially or fully accredited representatives.

**Map 1.** Distribution by state of undocumented population per attorneys and accredited representatives.**Map 2.** Distribution by state of all legal professionals per 1,000 undocumented immigrants.

No state enjoys a glut of legal capacity, but the following states fall well below the national average for charitable immigration legal professionals: Alabama (6,656 undocumented per legal professional), Hawaii (4,506), Kansas (3,010), Georgia (2,853), New Jersey

(2,687), Florida (2,681), North Carolina (2,671), Virginia (2,634) and Arizona (2,561).

The study also finds significant differences in legal capacity on a state and sub-state level, as measured by particular categories of legal professional. The states



with the fewest undocumented residents per charitable immigration attorney are: West Virginia (133 undocumented residents per attorney), Washington, DC (147), Maine (364), Iowa (488), Alaska (697), Montana (866), Vermont (881), Kentucky (900), New York (952), Wyoming (998), Michigan (1,112), Louisiana (1,160), Minnesota (1,239), Nebraska (1,359), Delaware (1,459) and New Hampshire (1,490) (Table B). In contrast, Hawaii (31,541), Arkansas (15,007), Arizona (12,931), Kansas (12,040), Rhode Island (8,733), North Carolina (8,457), Utah (8,244) and Georgia (8,072) have the most undocumented per charitable immigration attorney and, thus, the least capacity measured in this way.

Montana (289), Maine (872), Washington, DC (1,360), Nebraska (1,408) and Rhode Island (1,455) have the lowest numbers of undocumented residents per *accredited representative* and, thus, enjoy the greatest legal capacity defined in this way (Table B). States with the largest numbers of undocumented residents per *accredited representative* include Nevada (19,896), Georgia (10,342), South Carolina (9,999), Florida (9,718), Virginia (9,656), Texas (9,378), Tennessee (8,681), Maryland (8,554), New Jersey (8,543), Alabama (7,488) and Kentucky (7,203).

Rhode Island has among the lowest number of undocumented residents per accredited representative (1,455), but the most undocumented residents per attorney (8,733). It has low overall numbers of accredited representatives (18), attorneys (3) and undocumented immigrants (26,200) (Table A). Thus, its capacity could change significantly with a relatively modest increase or loss of legal professionals.

Table 1 shows the number of charitable organizations and legal practitioners for the 15 largest MAs by overall population.<sup>14</sup> Together, these MAs are home to 54.5 percent of the nation's undocumented residents and 51 percent of its charitable immigration legal professionals.

A total of 229 accredited representatives (11.6 percent of the nation's total) serve the MAs of Detroit-Warren-Dearborn (17), Miami-Fort Lauderdale-West Palm

Beach (20), Boston-Cambridge-Newton (30), Riverside-San Bernardino-Ontario (30), Atlanta-Sandy Springs-Roswell (31), Philadelphia-Camden-Wilmington (31), Houston-The Woodlands-Sugar Land (35) and Washington, DC-Arlington-Alexandria (35). Yet 21 percent of the nation's undocumented resides in these communities.

Table 2 displays the same data as Table 1, but highlights the number of undocumented immigrants in these MAs for each category of legal professional. In this table, higher undocumented numbers reveal lower legal capacity. The MAs with the greatest capacity – defined by “all legal professionals” – are Boston-Cambridge-Newton (621 undocumented per legal professional), San Francisco-Oakland-Hayward (761) and New York-Newark-Jersey City (849), and those with the least capacity are Riverside-San Bernardino-Ontario (5,307), Dallas-Fort Worth-Arlington (4,436), Phoenix-Mesa-Scottsdale (3,439) and Houston-The Woodlands-Sugar Land (3,009).

Disparities within categories of legal professionals can be stark. Seattle-Tacoma-Bellevue, for example, has one accredited representative for every 2,302 undocumented residents, compared to Miami-Fort Lauderdale-West Palm Beach, which has one for every 20,665 undocumented residents. Finally, the mix of legal professionals varies significantly by location. There are far fewer charitable immigration attorneys than there are accredited representatives in Riverside-San Bernardino-Ontario and Phoenix-Mesa-Scottsdale. In contrast, there are more attorneys than there are accredited representatives in New York-Newark-Jersey City, Washington, DC-Arlington-Alexandria, San Francisco-Oakland-Hayward, Boston-Cambridge-Newton, Miami-Fort Lauderdale-West Palm Beach, and Houston-The Woodlands-Sugarland.

CMS has limited its analysis to the 15 most populous MAs and counties because their large numbers of undocumented residents and critical mass of charitable legal professionals allow for meaningful comparisons between legal capacity and need. However, smaller jurisdictions can make such assessments as well. The CMS dataset indicates, for example, that Omaha, Nebraska, has 21,800 undocumented residents and six charitable immigration legal programs that employ 21 attorneys, two fully and 10 partially accredited representatives, and 12 paralegals and legal assistants (Table C). As discussed in the

<sup>14</sup>Metropolitan areas listed are using the 2013 definitions for metropolitan statistical areas (MSAs) from the US Office of Management and Budget (OMB).

**Table 1.** Total Number of Organizations, Legal Professionals and Undocumented Immigrant Population by Top 15 US Metropolitan Areas by Overall Population.\*

Metropolitan area	Organizations	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	All legal professionals	Undocumented immigrant population
New York-Newark-Jersey City, NY-NJ-PA	243	27	163	190	628	313	1,131	960,300
Los Angeles-Long Beach-Anaheim, CA	92	25	152	183	201	140	524	927,900
Dallas-Fort Worth-Arlington, TX	29	9	46	55	46	30	131	581,100
Houston-The Woodlands-Sugar Land, TX	23	6	29	35	66	85	186	576,500
Miami-Fort Lauderdale-West Palm Beach, FL	35	3	17	20	76	43	139	413,300
Chicago-Naperville-Elgin, IL-IN-WI	80	19	100	121	127	86	334	374,600
Washington-Arlington-Alexandria, DC-VA-MD-WV	58	3	32	35	154	41	230	367,800
San Francisco-Oakland-Hayward, CA	74	15	57	73	171	91	335	255,000
Atlanta-Sandy Springs-Roswell, GA	19	4	27	31	41	43	115	251,600
Riverside-San Bernardino-Ontario, CA	19	5	21	30	4	7	41	217,600
Phoenix-Mesa-Scottsdale, AZ	14	8	32	42	7	8	57	196,000
Seattle-Tacoma-Bellevue, WA	41	2	71	73	65	14	152	168,100
Boston-Cambridge-Newton, MA-NH	47	5	25	30	88	122	240	149,000
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	24	3	27	31	60	28	119	138,100
Detroit-Warren-Dearborn, MI	12	3	14	17	11	1	29	62,300
<b>Total 15 MAs</b>	<b>810</b>	<b>137</b>	<b>813</b>	<b>966</b>	<b>1,745</b>	<b>1,052</b>	<b>3,763</b>	<b>5,639,200</b>
<b>US Total</b>	<b>1,803</b>	<b>277</b>	<b>1,656</b>	<b>1,982</b>	<b>3,277</b>	<b>2,063</b>	<b>7,322</b>	<b>10,348,900</b>

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at CMS at <http://data.cmsny.org/>.

\*In these figures, “total reps” refers to the sum of fully and partially accredited representatives. CMS could not obtain information on whether an accredited representative had full or partial accreditation in 49 cases. It added these accredited representatives to the tally for total reps, but not as either fully or partially accredited representative. Therefore, the “total reps” figure slightly exceeds the sum of partially and fully accredited representatives. CMS rounded estimated numbers of undocumented immigrants to the nearest hundred.

**Table 2.** Number of Undocumented Immigrants per Legal Professional by US Metropolitan Area.

Metropolitan area	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	Total reps and attorneys	All legal professionals
New York-Newark-Jersey City, NY-NJ-PA	35,567	5,891	5,054	1,529	3,068	1,174	849
Los Angeles-Long Beach-Anaheim, CA	37,117	6,105	5,071	4,616	6,628	2,416	1,771
Dallas-Fort Worth-Arlington, TX	64,566	12,632	10,565	12,632	19,370	5,753	4,436
Houston-The Woodlands-Sugar Land, TX	96,081	19,879	16,471	8,735	6,782	5,708	3,099
Miami-Fort Lauderdale-West Palm Beach, FL	137,769	24,312	20,665	5,438	9,612	4,305	2,973
Chicago-Naperville-Elgin, IL-IN-WI	19,717	3,746	3,096	2,950	4,356	1,511	1,122
Washington-Arlington-Alexandria, DC-VA-MD-WV	122,610	11,495	10,509	2,388	8,971	1,946	1,599
San Francisco-Oakland-Hayward, CA	17,001	4,474	3,493	1,491	2,802	1,045	761
Atlanta-Sandy Springs-Roswell, GA	62,891	9,317	8,115	6,136	5,850	3,494	2,188
Riverside-San Bernardino-Ontario, CA	43,515	10,361	7,252	54,394	31,082	6,399	5,307
Phoenix-Mesa-Scottsdale, AZ	24,501	6,125	4,667	28,001	24,501	4,000	3,439
Seattle-Tacoma-Bellevue, WA	84,031	2,367	2,302	2,586	12,004	1,218	1,106
Boston-Cambridge-Newton, MA-NH	29,806	5,961	4,968	1,694	1,222	1,263	621
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	46,044	5,116	4,456	2,302	4,933	1,518	1,161
Detroit-Warren-Dearborn, MI	20,768	4,450	3,665	5,664	62,303	2,225	2,148
<b>Total 15 MAs</b>	<b>41,162</b>	<b>6,936</b>	<b>5,838</b>	<b>3,232</b>	<b>5,360</b>	<b>2,080</b>	<b>1,499</b>
<b>US Total</b>	<b>37,361</b>	<b>6,249</b>	<b>5,221</b>	<b>3,158</b>	<b>5,016</b>	<b>1,968</b>	<b>1,413</b>

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at CMS at <http://data.cmsny.org/>.

recommendations, CMS can furnish public agencies and CBOs with information on legal capacity and data on immigrants in their communities, allowing them to conduct their own analyses.<sup>15</sup>

Table 3 shows the number of charitable legal immigration organizations and legal professionals for the 15 largest US counties by population. Together, these counties are home to one-third of the nation's undocumented residents, but only 25 percent of its charitable legal professionals.

Table 4 shows the number of undocumented residents for each category of legal professional. It indicates that the greatest charitable immigration legal capacity—defined by “all legal professionals”—is in King's County (668 undocumented residents per legal professionals), Cook County (917) and San Diego County (998), and the least capacity is in San Bernardino County (6,178), Clark County (4,747), Riverside County (4,625), Tarrant County (3,955) and Dallas County (3,939). The table also identifies large counties in which particular categories of legal professionals can be found at high and low rates. Thus, San Diego County has an accredited representative for every 2,376 undocumented residents, compared to Harris County, which has an accredited representative for every 14,246 undocumented residents. Finally, the table shows far fewer attorneys than accredited representative in Maricopa County and Orange County, and the opposite in Kings County, Los Angeles County, and Miami-Dade County.

## Methodology and Data Sources

### *The US Undocumented Population*

CMS derived its estimates of the US undocumented population from the detailed data collected in the US Census Bureau's 2019 American Community Survey (ACS). It assigned legal status to each noncitizen in the survey based on the methodology described in Warren (2021, 38–43). This methodology allows CMS to produce estimates by state, county, metropolitan area, and public use microdata area (PUMA) (roughly 100,000 persons). CMS does not report numbers that round to less than 500

because the sampling variability is too large for samples below that number. The paper compares charitable legal capacity by state and for the largest 15 MAs and counties. Limiting the analysis to these geographic areas reduces measurement error. It also allows for examination of a critical mass of charitable immigration legal programs and undocumented immigrants.

### *Charitable Immigration Legal Capacity*

CMS initiated this study in collaboration Ready to Stay, a national coalition of agencies devoted to building legal and other community-based capacity in response to special legal status programs and in anticipation of a larger legalization program. CMS combined, harmonized and supplemented the three data sources (described below) to compile a dataset with the fields and variables set forth in Table D. It also added several hundred programs that do not appear in any of these sources.

EOIR's OLAP maintains the “Recognized Organizations and Accredited Representatives Roster by State and City.” Between 2018 and 2020, OLAP updated the DOJ/EOIR roster, removing inactive agencies and accredited staff. Over roughly the same period, DOJ/EOIR recognition and accreditation processing times increased from: 77 to 158.5 days between 2018 and 2019–2020 for first time recognition requests; 75.5 days to 262 days between 2017–2018 and 2019–2020 for renewal applications; and by 40 percent for approved initial applications for full and partial accreditation and longer for rejected applications (CLINIC 2021a).

The roster contains the names and addresses of recognized agencies and their sub-offices, recognition and expiration dates, partially and fully accredited representatives by name, and accreditation expiration dates. It does not contain information on attorneys that work in recognized offices or charitable immigration legal agencies that are not recognized. The latter includes charitable legal programs with attorneys, paralegals and legal assistants, but not accredited representatives. The roster does not indicate the location of accredited representatives in recognized agencies with multiple offices. To address these gaps, CMS supplemented information from the DOJ/EOIR roster with (available) listings of attorneys by office

<sup>15</sup>To request detailed information on particular immigrant communities, please see CMS's Data Request Form at <https://cmsny.org/cms-data-request-form/>.

**Table 3.** Total Number of Organizations, Legal Professionals and Undocumented Immigrant Populations in 15 Largest US Counties by Overall Population.

County, state	Organizations	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	All legal professionals	Undocumented immigrant population
Los Angeles County, California	65	22	105	132	185	135	452	736,200
Harris County, Texas	22	5	28	33	66	85	184	470,100
Dallas County, Texas	15	6	29	35	27	25	87	342,700
Cook County, Illinois	53	14	64	80	114	64	258	236,600
Miami-Dade County, Florida	20	3	12	15	57	33	105	197,600
Orange County, California	27	3	47	51	16	5	72	191,700
Maricopa County, Arizona	14	8	32	42	7	8	57	189,300
Queens County, New York	35	1	10	11	52	31	94	179,000
Clark County, Nevada	5	1	1	2	19	11	32	151,900
San Diego County, California	30	14	44	58	53	27	138	137,800
Kings County, New York	49	7	31	38	98	43	179	119,600
Tarrant County, Texas	8	1	10	11	19	0	30	118,700
King County, Washington	31	2	52	54	44	10	108	117,500
San Bernardino County, California	8	4	6	14	1	3	18	111,200
Riverside County, California	11	1	15	16	3	4	23	106,400
<b>Total 15 Counties</b>	<b>393</b>	<b>92</b>	<b>486</b>	<b>592</b>	<b>761</b>	<b>484</b>	<b>1,837</b>	<b>3,406,200</b>
<b>US Total</b>	<b>1,803</b>	<b>277</b>	<b>1,656</b>	<b>1,982</b>	<b>3,277</b>	<b>2,063</b>	<b>7,322</b>	<b>10,348,900</b>

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at <http://data.cmsny.org/>.

**Table 4.** Number of Undocumented Immigrants per Legal Professional by Largest US Counties.

County, state	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	Total reps and attorneys	All legal professionals
Los Angeles County, California	33,466	7,012	5,578	3,980	5,454	2,323	1,629
Harris County, Texas	94,026	16,790	14,246	7,123	5,531	4,749	2,555
Dallas County, Texas	57,113	11,817	9,791	12,692	13,707	5,527	3,939
Cook County, Illinois	16,897	3,696	2,957	2,075	3,696	1,219	917
Miami-Dade County, Florida	65,856	16,464	13,171	3,466	5,987	2,744	1,882
Orange County, California	63,890	4,078	3,758	11,979	38,334	2,861	2,662
Maricopa County, Arizona	23,660	5,915	4,507	27,040	23,660	3,863	3,321
Queens County, New York	179,016	17,902	16,274	3,443	5,775	2,842	1,904
Clark County, Nevada	151,911	151,911	75,955	7,995	13,810	7,234	4,747
San Diego County, California	9,842	3,132	2,376	2,600	5,103	1,241	998
Kings County, New York	17,086	3,858	3,147	1,220	2,781	879	668
Tarrant County, Texas	118,664	11,866	10,788	6,245		3,955	3,955
King County, Washington	58,766	2,260	2,177	2,671	11,753	1,199	1,088
San Bernardino County, California	27,800	18,533	7,943	111,201	37,067	7,413	6,178
Riverside County, California	106,373	7,092	6,648	35,458	26,593	5,599	4,625
<b>Total 15 Counties</b>	<b>37,024</b>	<b>7,009</b>	<b>5,754</b>	<b>4,476</b>	<b>7,038</b>	<b>2,518</b>	<b>1,854</b>
<b>US Total</b>	<b>37,361</b>	<b>6,249</b>	<b>5,221</b>	<b>3,158</b>	<b>5,016</b>	<b>1,968</b>	<b>1,413</b>

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at CMS at <http://data.cmsny.org/>.

and the locations of accredited representatives by sub-office. The DOJ/EOIR roster is updated periodically. CMS used the roster dated March 7, 2022.

The Catholic Legal Immigration Network, Inc. (CLINIC) provides direct representation in select cases and training and support to Catholic and other community-based legal immigration programs in 49 states and Washington, DC. Its affiliates serve nearly 500,000 immigrants per year. CLINIC's directory is current through September 2021 and contains supplemental information from an affiliate survey in early 2022. The directory includes the member organization's name, zip code, and the number (but not names) of partially and fully

accredited representatives (both full and part time staff) by office and sub-office. It does not contain information on attorneys in these offices. CMS updated select CLINIC affiliate information through website searches and information from the two other directories.

The Immigrant Advocates Network (IAN) maintains the third directory used in this study. IAN is a program of Pro Bono Net that seeks to expand "access to immigration legal resources and information through collaboration and technology" (IAN 2022). IAN's partner agencies update their entries in the directory on different time-lines. CMS has attempted to update them further via website searches

for select programs through March 2022. The IAN directory includes the names and addresses of organizations, their service areas (national, state, county, proximity to detention centers), recognized agencies and the number of legal staff (attorneys, paralegals, legal assistants, and partially and fully accredited representatives) working at particular offices.<sup>16</sup> CMS attempted to identify the names of accredited representatives and other information on organizations listed in the IAN directory through their websites. When a conflict existed between information on an agency in the IAN directory and information on the agency's website, CMS used the more current information from the website.

Some charitable immigration legal programs and professionals do not appear in any of the three directories/rosters. As CMS's research team learned about such programs, it searched their websites and added them to the project's dataset.

The study's proxy for legal need – the undocumented – covers a significant category of low-income immigrants. The study's methodology allowed it to compile a large percentage of charitable immigration legal programs and professionals. These programs, in turn, meet a disproportionately high share of the legal immigration needs of low-income immigrants.

The study is not exhaustive. It does not capture the work of pro bono attorneys, small immigration firms, solo practitioners, law school clinics or corporate legal counsel that represent low-income immigrants. In addition, it does not account for the baleful influence of *notarios*, who practice immigration law without authorization at little risk of sanction or prosecution.<sup>17</sup> Nor does it closely match the work of individual legal programs to the particular groups of immigrants they represent. Some charitable agencies – by point of their location, history, or staff – prioritize certain types of cases and serve particular immigrant communities at high rates, but not other low-income populations. That said, the study offers an invaluable

window on the need for greater legal capacity for low-income immigrants.

## Recommendations

This study identifies a widespread shortage of charitable immigration legal programs and professionals. Nationally, it finds one charitable legal professional per 1,413 undocumented persons, and far less capacity in:

- States such as Alabama (6,656 undocumented per legal professional), Hawaii (4,506), Kansas (3,010), Georgia (2,853), New Jersey (2,687), Florida (2,681), North Carolina (2,671), Virginia (2,634), and Arizona (2,561).
- Metropolitan areas such as Riverside-San Bernardino-Ontario (5,307), Dallas-Fort Worth-Arlington (4,436), Phoenix-Mesa-Scottsdale (3,439) and Houston-The Woodlands-Sugar Land (3,009).
- San Bernardino County (6,178), Clark County (4,747), Riverside County (4,625), Tarrant County (3,955) and Dallas County (3,939).

It finds significant variances in charitable legal immigration capacity between states with large undocumented populations and between those with fewer undocumented immigrants. It also finds wide variances in the prevalence of different categories of legal professionals in different jurisdictions. Its findings argue for the expansion and growth of charitable immigration legal programs for low-income immigrants throughout the country, but particularly in places with less capacity and at times of elevated need in immigrant communities. To that end, it offers five recommendations.

First, Congress, states, localities, private foundations and charitable agencies should commit to expanding immigration legal programs in response to the day-to-day needs of immigrant communities. This need will be particularly acute in response to opportunities (such as special legal status programs) and crises (such as immigration crackdowns) in immigrant communities.

This broad recommendation, however, comes with a caveat. Charitable immigration legal programs have always struggled to sustain themselves, cobbling together funding from numerous sources, including modest client fees (Guilfoyle 2017, 112–18). Despite these challenges, these programs have

<sup>16</sup>The DOJ/EOIR roster and CLINIC directory do not list paralegals and legal assistants.

<sup>17</sup>H.R. Rep. No. 116-553, Fight Notario Fraud Act of 2020, 116<sup>th</sup> Cong., 2d Sess. (2019-2020). (House Judiciary Committee). <https://www.govinfo.gov/content/pkg/CRPT-116/hrpt533/html/CRPT-116hrpt533.htm>

grown in number, expertise and sophistication. Their diverse funding sources have immunized them from sharp losses in capacity like those suffered by federally funded refugee resettlement agencies during the Trump administration (Kerwin and Nicholson 2020, 4–6). Charitable legal programs need more funding, including from federal, state and local government sources. However, they should also remain resourceful and resilient, and should avoid becoming overly dependent on government funding.

Funding for charitable immigrant-serving agencies should be flexible and responsive to the needs of local communities. It should permit, if not require, legal screening of undocumented residents who may be eligible for permanent status under existing law, given the cascading benefits of legal status to immigrants, families and communities. Immigrants can lose, gain or advance in status over time. Large numbers of new LPRs each year, for example, formerly lacked immigration status (Jasso *et al.* 2008). Thus, legal screening of the undocumented, even of the same undocumented persons over time, can identify a significant percentage eligible for immigration-related benefits or relief.

Second, CMS conducted extensive research on individual agencies that appear in the DOJ/EOIR roster and the IAN and CLINIC directories. If charitable legal networks harmonized their data fields (Table D) and collection practices, it would lead to improved legal capacity and needs studies. Private foundations should support dialogue between legal immigration networks, providers and researchers on the possibility of more coordinated data collection. They should also support additional studies on immigrant legal needs and capacity, particularly if data collection can be harmonized.

Third, DHS/USCIS should regularly report on representation rates and outcomes in cases involving USCIS applications, petitions and immigration benefit requests. Such reports would contribute important baseline information regarding the legal needs of immigrants and the impact of legal representation on case outcomes.

Fourth, this study focuses on states and large MAs and counties. Immigrants, however, experience legal need locally. They can either access (or not) pro bono or low-cost legal services in their immediate communities. In an earlier partnership with Ready to Stay, CMS

created a technical support function that offers customized data on specific immigrant populations in response to requests from immigrant-serving public agencies and CBOs.<sup>18</sup> These profiles include estimates on country of nationality, immigration status, income, languages spoken, time in the United States, and homeownership by city, county and PUMA. This demographic data can be coupled with CMS information on charitable immigration programs to assess legal need, and to make the case for expanded capacity. Localities and CBOs should avail themselves of these tools.

Fifth, at a time of immense legal immigration needs, the Biden administration, Congress and DOJ/EOIR should commit to reducing the time it takes to adjudicate recognition and accreditation applications. In particular, Congress should appropriate sufficient monies to DOJ/EOIR for this purpose. Recognized charitable immigration agencies should, in turn, expand their numbers of accredited representatives and invest in training to allow partially accredited representatives become fully accredited.

Some criticize these programs for their focus on services (at the supposed expense of systemic change) and others for assisting undocumented and other immigrants. Both criticisms are misplaced. These programs improve the life trajectories of countless immigrants and US families each year. They support immigrant communities in times of hardship and of opportunity. In an era when badly needed reforms of the US immigration system have proven politically elusive, they provide a measure of access to justice, assisting immigrants to secure status, relief and benefits for which they are eligible under the law.

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<sup>18</sup>See, CMS's data request form at <https://cmsny.org/cms-data-request-form/>.



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## Appendix

**Table A.** Total Number of Organizations, Legal Professionals and Undocumented Immigrant Population by State.

State	Organizations	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	All legal professionals	Undocumented immigrant population
<b>Total: All States</b>	<b>1,803</b>	<b>277</b>	<b>1,656</b>	<b>1,982</b>	<b>3,277</b>	<b>2,063</b>	<b>7,322</b>	<b>10,348,900</b>
California	338	73	384	470	581	404	1,455	2,251,800
Texas	138	44	146	190	271	281	742	1,781,800
Florida	99	11	55	80	132	78	290	777,500
New York	249	27	170	197	674	313	1,184	641,700
New Jersey	45	8	42	50	61	48	159	427,200
Illinois	83	19	104	125	130	87	342	391,600
Georgia	20	4	28	32	41	43	116	330,900
North Carolina	52	2	45	47	36	31	114	304,500
Washington	58	2	93	102	84	19	205	275,100
Virginia	29	1	26	27	60	12	99	260,700
Arizona	28	8	49	59	20	22	101	258,600
Maryland	34	7	19	27	53	33	113	231,000
Nevada	12	3	6	9	52	29	90	179,100
Massachusetts	65	5	39	44	104	131	279	177,400
Pennsylvania	35	6	40	46	73	46	165	155,800
Colorado	23	5	26	31	41	15	87	146,400
Tennessee	20	0	15	15	25	19	59	130,200
Michigan	45	3	26	29	102	21	152	113,500
Oregon	25	5	18	23	38	24	85	105,600
Connecticut	31	6	24	33	36	28	97	103,600
South Carolina	21	0	10	10	45	21	76	100,000
Ohio	26	6	13	19	40	27	86	98,700
Indiana	24	2	31	33	21	18	72	97,200
Utah	10	3	11	14	11	22	47	90,700
Oklahoma	27	1	15	16	31	33	80	86,300
Minnesota	25	0	18	18	64	24	106	79,300
Wisconsin	22	0	13	13	16	8	37	76,600
Kansas	11	0	13	13	6	5	24	72,200
Arkansas	6	1	14	18	4	6	28	60,000
Alabama	7	2	6	8	0	1	9	59,900
Louisiana	14	8	6	14	50	36	100	58,000

(continued)

**Table A.** (continued)

State	Organizations	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	All legal professionals	Undocumented immigrant population
New Mexico	13	2	16	18	15	11	44	52,400
Kentucky	18	1	6	7	56	16	79	50,400
Missouri	14	2	16	19	9	16	44	49,600
Iowa	22	0	18	20	82	10	112	40,000
Nebraska	24	2	26	28	29	20	77	39,400
Hawaii	8	0	5	5	1	1	7	31,500
Delaware	8	0	5	6	20	17	43	29,200
Idaho	9	5	11	16	5	12	33	28,100
Rhode Island	4	1	17	18	3	1	22	26,200
Mississippi	8	1	4	5	8	6	19	19,500
District of Columbia	25	0	9	9	83	19	111	12,200
New Hampshire	5	0	4	4	8	4	16	11,900
North Dakota								7,300
South Dakota	3	0	4	4	4	5	13	7,100
Wyoming	5	0	1	1	6	17	24	6,000
Maine	4	0	5	5	12	4	21	4,400
Vermont	2	1	0	1	4	2	7	3,500
Alaska	3	0	1	1	5	0	6	3,500
West Virginia	4	0	0	0	24	16	40	3,200
Montana	2	0	3	3	1	1	5	900

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at <http://data.cmsny.org/>.

**Table B.** Number of Undocumented Immigrants per Category of Legal Professional by State.

State	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	Total reps and attorneys	All legal professionals
Total: All States	37,361	6,249	5,221	3,158	5,016	1,968	1,413
California	30,846	5,864	4,791	3,876	5,574	2,142	1,548
Texas	40,494	12,204	9,378	6,575	6,341	3,865	2,401
Florida	70,679	14,136	9,718	5,890	9,967	3,667	2,681
New York	23,766	3,775	3,257	952	2,050	737	542
New Jersey	53,396	10,171	8,543	7,003	8,899	3,848	2,687
Illinois	20,613	3,766	3,133	3,013	4,502	1,536	1,145
Georgia	82,734	11,819	10,342	8,072	7,696	4,533	2,853
North Carolina	152,229	6,766	6,478	8,457	9,821	3,668	2,671
Washington	137,535	2,958	2,697	3,275	14,477	1,479	1,342
Virginia	260,722	10,028	9,656	4,345	21,727	2,997	2,634
Arizona	32,328	5,278	4,383	12,931	11,756	3,274	2,561
Maryland	32,994	12,156	8,554	4,358	6,999	2,887	2,044
Nevada	59,689	29,844	19,896	3,444	6,175	2,936	1,990
Massachusetts	35,489	4,550	4,033	1,706	1,355	1,199	636
Pennsylvania	25,967	3,895	3,387	2,134	3,387	1,309	944
Colorado	29,276	5,630	4,722	3,570	9,759	2,033	1,683
Tennessee		8,681	8,681	5,209	6,854	3,256	2,207
Michigan	37,818	4,364	3,912	1,112	5,403	866	746
Oregon	21,117	5,866	4,591	2,779	4,399	1,731	1,242
Connecticut	17,269	4,317	3,140	2,878	3,700	1,502	1,068
South Carolina		9,999	9,999	2,222	4,762	1,818	1,316
Ohio	16,450	7,592	5,195	2,467	3,655	1,673	1,148
Indiana	48,614	3,136	2,946	4,630	5,402	1,801	1,350
Utah	30,229	8,244	6,478	8,244	4,122	3,627	1,929
Oklahoma	86,251	5,750	5,391	2,782	2,614	1,835	1,078
Minnesota		4,404	4,404	1,239	3,303	967	748
Wisconsin		5,889	5,889	4,785	9,569	2,640	2,069
Kansas		5,557	5,557	12,040	14,448	3,802	3,010
Arkansas	60,028	4,288	3,335	15,007	10,005	2,729	2,144
Alabama	29,953	9,984	7,488		59,906	7,488	6,656
Louisiana	7,250	9,666	4,143	1,160	1,611	906	580
New Mexico	26,213	3,277	2,913	3,495	4,766	1,589	1,191
Kentucky	50,419	8,403	7,203	900	3,151	800	638
Missouri	24,791	3,099	2,610	5,509	3,099	1,771	1,127
Iowa		2,223	2,001	488	4,001	392	357
Nebraska	19,709	1,516	1,408	1,359	1,971	692	512
Hawaii		6,308	6,308	31,541	31,541	5,257	4,506
Delaware		5,837	4,865	1,459	1,717	1,123	679
Idaho	5,611	2,550	1,753	5,611	2,338	1,336	850
Rhode Island	26,198	1,541	1,455	8,733	26,198	1,248	1,191
Mississippi	19,483	4,871	3,897	2,435	3,247	1,499	1,025
District of Columbia		1,360	1,360	147	644	133	110

(continued)

**Table B.** (continued)

State	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	Total reps and attorneys	All legal professionals
New Hampshire		2,980	2,980	1,490	2,980	993	745
North Dakota							
South Dakota		1,763	1,763	1,763	1,410	882	542
Wyoming		5,985	5,985	998	352	855	249
Maine		872	872	364	1,091	257	208
Vermont	3,525		3,525	881	1,763	705	504
Alaska		3,487	3,487	697		581	581
West Virginia				133	200	133	80
Montana		289	289	866	866	217	173

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at <http://data.cmsny.org/>.

**Table C.** Total Number of Organizations, Legal Professionals and Undocumented Immigrant Population in Omaha, Nebraska.

City, State	Organizations	Fully accredited reps	Partially accredited reps	Total reps	Attorneys	Paralegals and legal assistants	All legal professionals	Undocumented immigrant population
Omaha, NE	6	2	10	12	21	12	45	21,800

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at <http://data.cmsny.org/>.

**Table D.** A Side-by-Side Comparison of the Fields in the CMS Dataset, DOJ/EOIR Roster and CLINIC and IAN Directories.

Information	CMS	CLINIC	IAN	DOJ
<i>Organization</i>				
Organization name	x	x	x	x
State	x		x	x
County	x			
City	x		x	x
Zip code	x	x	x	x
Whether an organization is recognized by DOJ			x	x
Date recognized				x
Recognition expiration date				x
Organization status (whether it is active)				x
Organization office type (primary or extension)	x			
Whether the organization is national			x	
Organizations' full address			x	x
<i>DOJ/EOIR Accredited Representatives</i>				
Number of DOJ/EOIR fully accredited representatives	x	x	x	
Number of DOJ/ EOIR partially accredited representative	x	x	x	
Total number of DOJ/ EOIR accredited representative	x	x		
Whether representatives work full time or part time		x		
Accredited representatives' names	x			x
Accredited representatives' names by office type	x			
Accreditation expiration date				x
Representative status (whether accreditation is active)				x
<i>Attorneys</i>				
Number of attorneys	x		x	
Attorney names	x			
<i>Paralegals and Legal assistants</i>				
Number of paralegal/legal assistant	x		x	
Paralegal/legal assistant names	x			
<i>Other</i>				
Organization ID			x	
States served			x	
Counties served			x	
Detention facilities served			x	
Provide immigration services			x	
Network affiliations			x	
Other network affiliations			x	
Last update			x	



**Table E.** Distribution by State of All Legal Professionals per 1,000 Undocumented Immigrants.

State	All legal professionals per 1,000 undocumented immigrants	Undocumented immigrant population
California	0.6	2,251,800
Texas	0.4	1,781,800
Florida	0.4	777,500
New York	1.8	641,700
New Jersey	0.4	427,200
Illinois	0.9	391,600
Georgia	0.4	330,900
North Carolina	0.4	304,500
Washington	0.7	275,100
Virginia	0.4	260,700
Arizona	0.4	258,600
Maryland	0.5	231,000
Nevada	0.5	179,100
Massachusetts	1.6	177,400
Pennsylvania	1.1	155,800
Colorado	0.6	146,400
Tennessee	0.5	130,200
Michigan	1.3	113,500
Oregon	0.8	105,600
Connecticut	0.9	103,600
South Carolina	0.8	100,000
Ohio	0.9	98,700
Indiana	0.7	97,200
Utah	0.5	90,700
Oklahoma	0.9	86,300
Minnesota	1.3	79,300
Wisconsin	0.5	76,600
Kansas	0.3	72,200
Arkansas	0.5	60,000
Alabama	0.2	59,900
Louisiana	1.7	58,000
New Mexico	0.8	52,400
Kentucky	1.6	50,400
Missouri	0.9	49,600
Iowa	2.8	40,000
Nebraska	2.0	39,400
Hawaii	0.2	31,500
Delaware	1.5	29,200
Idaho	1.2	28,100
Rhode Island	0.8	26,200
Mississippi	1.0	19,500
District of Columbia	9.1	12,200
New Hampshire	1.3	11,900
North Dakota		7,300
South Dakota	1.8	7,100
Wyoming	4.0	6,000
Maine	4.8	4,400
Vermont	2.0	3,500
Alaska	1.7	3,500
West Virginia	12.5	3,200
Montana	5.8	900

See Kerwin, Pacas and Warren (2022) for estimated numbers of undocumented immigrants. Dataset is available at <http://data.cmsny.org/>.