

Application Submittal Checklist

The following items are required for submittal of the grant application. Please verify and check off that the items have been included in the application packet.

- 1) Hawaii Compliance Express Certificate (If the Applicant is an Organization)
- 2) Declaration Statement
- 3) Verify that grant shall be used for a public purpose
- 4) Background and Summary
- 5) Service Summary and Outcomes
- 6) Budget
 - a) Budget request by source of funds ([Link](#))
 - b) Personnel salaries and wages ([Link](#))
 - c) Equipment and motor vehicles ([Link](#))
 - d) Capital project details ([Link](#))
 - e) Government contracts, grants, and grants in aid ([Link](#))
- 7) Experience and Capability
- 8) Personnel: Project Organization and Staffing


AUTHORIZED SIGNATURE

BETTINA MOK, EXECUTIVE DIRECTOR

PRINT NAME AND TITLE

1/19/24

DATE



STATE OF HAWAII
STATE PROCUREMENT OFFICE

CERTIFICATE OF VENDOR COMPLIANCE

This document presents the compliance status of the vendor identified below on the issue date with respect to certificates required from the Hawaii Department of Taxation (DOTAX), the Internal Revenue Service, the Hawaii Department of Labor and Industrial Relations (DLIR), and the Hawaii Department of Commerce and Consumer Affairs (DCCA).

Vendor Name: THE LEGAL CLINIC

Issue Date: 01/14/2024

Status: Compliant

Hawaii Tax#:

New Hawaii Tax#:

FEIN/SSN#:

UI#:

DCCA FILE#:

XX-XXX1392

XXXXXXX5435

281811

Status of Compliance for this Vendor on issue date:

Form	Department(s)	Status
A-6	Hawaii Department of Taxation	Compliant
8821	Internal Revenue Service	Compliant
COGS	Hawaii Department of Commerce & Consumer Affairs	Exempt
LIR27	Hawaii Department of Labor & Industrial Relations	Compliant

Status Legend:

Status	Description
Exempt	The entity is exempt from this requirement
Compliant	The entity is compliant with this requirement or the entity is in agreement with agency and actively working towards compliance
Pending	A status determination has not yet been made
Submitted	The entity has applied for the certificate but it is awaiting approval
Not Compliant	The entity is not in compliance with the requirement and should contact the issuing agency for more information

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS PURSUANT TO
CHAPTER 42F, HAWAI'I REVISED STATUTES**

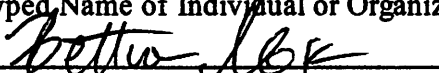
The undersigned authorized representative of the applicant certifies the following:

- 1) The applicant meets and will comply with all of the following standards for the award of grants pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant.
- 2) If the applicant is an organization, the applicant meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant is awarded shall be conducted or provided; and
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.
- 4) The use of grant-in-aid funding complies with all provisions of the Constitution of the State of Hawaii (for example, pursuant to Article X, section 1, of the Constitution, the State cannot provide "... public funds ... for the support or benefit of any sectarian or nonsectarian private educational institution ...").

Pursuant to Section 42F-103, Hawai'i Revised Statutes, for grants used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

The Legal Clinic
(Typed Name of Individual or Organization)


(Signature)

Bettina Mok
(Typed Name)

Jan. 18, 2024
(Date)

Executive Director
(Title)

Use of Funds for Public Purpose

If awarded a grant from the State of Hawai'i, The Legal Clinic will use the grant funds only for public purpose, pursuant to Section 42F-102 of the Hawai'i Revised Statutes.

- (1) The name of the requesting organization or individual:

The Legal Clinic, an independent 501c3 non-profit organization as of June 2019.

- (2) The public purpose for the grant:

The Legal Clinic's mission is to ensure justice for low-income immigrants and migrants in Hawai'i through high-quality immigration legal services, education, and advocacy. The public purpose of this grant is to provide free immigration legal services to low-income immigrants in Hawai'i and to raise awareness of immigrant rights, needs, immigration law, and pathways to citizenship.

- (3) The services to be supported by the grant:

With this grant, The Legal Clinic (TLC) will provide 4500+ hours of free immigration legal services to at least 100 vulnerable low-income residents of Hawai'i, including unaccompanied minors, Micronesian migrant residents, Maui fire victims, kupuna, and others. TLC and partners will coordinate public educational events such as "know your rights" workshops and/or webinars to highlight resources for immigrants, and to raise public awareness of immigrant justice matters and legal services.

- (4) The target group:

Low-income foreign-born residents of the state of Hawai'i (legal service recipients) and members of the public (through educational outreach).

- (5) The cost of the grant and the budget.

Grant request amount: \$75,000

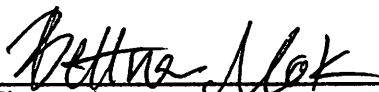
Budget amount: \$1,009,000

Please see budget details on "Budget Request by Source of Funds" page.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

The Legal Clinic

(Typed Name of Individual or Organization)


(Signature)

Jan. 18, 2024

(Date)

Bettina Mok
(Typed Name)

Executive Director
(Title)

Application for Grants

If any item is not applicable to the request, the applicant should enter “not applicable”.

I. Certification – see attached

- 1. Hawaii Compliance Express Certificate (If the Applicant is an Organization)**
- 2. Declaration Statement**
- 3. Public Purpose**

II. Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the request in such a way as to provide the State Legislature with a broad understanding of the request. Please include the following:

1. Brief Description of The Legal Clinic’s Background

The mission of The Legal Clinic (TLC) is to ensure justice for low-income immigrants and migrants Hawai’i through high quality immigration legal services, education, and advocacy. TLC is committed to providing free legal services to immigrants who meet low-income eligibility guidelines, regardless of their immigration status.

TLC was founded in 2017 by a diverse group of friends, immigration attorneys, church leaders, and other professional colleagues who were concerned about the injustices happening to immigrants in Hawai’i and nationally. TLC’s founders recognized a critical gap in immigration legal services for thousands of low-income residents who are unable to afford the services of a private attorney, or who are hesitant to seek assistance for fear of detention or deportation. This prevents them from applying for a change in immigration status that could provide access to benefits, work authorization, voting, and greater security for themselves and their families. Studies have shown that citizens are more civically engaged, contribute enormously to the local economy, and establish a safer, more secure future for generations that come after them.

Many of TLC’s clients are not eligible for services like those offered by Legal Aid, Pacific Gateway Center, or Catholic Charities, due to the nature of their immigration matter or immigration status. TLC is not restricted by federal funding guidelines and can serve clients who may be out of status.

TLC was awarded 501(c)3 status as an independent non-profit organization in June of 2019. Though one of TLC’s offices is located inside the First United Methodist Church of Honolulu, TLC is an independent and secular organization. In 2023, TLC opened a second office in downtown Honolulu, and now has a staff of seven, and a 15-person board of

directors. TLC is an affiliate of the Immigration Law & Justice Network, a national coalition of immigration law clinics serving low-income immigrants across the US.

2. Goals and Objectives

- 100+ clients-including Maui fire victims, unaccompanied minors, COFA migrants, and kupuna-will receive free expert legal counsel and services from TLC's legal team regarding immigration matters. Clients must be Hawai'i residents from households earning at or below the 200% federal poverty threshold.
- TLC will provide expert legal counsel to at least 10 clients who are considered minors under the State of Hawaii's Special Immigrant Juvenile Status statute. The expected result is to prevent the deportation of these particular clients.
- 2000+ Hawai'i residents will learn about immigration justice issues and services, immigrant youth resources, and/or other resources through TLC's outreach efforts. When possible, multi-lingual information and targeted COFA-community outreach will be done to serve diverse immigrant communities. As a result, more residents will be better informed of their options to move along the path to citizenship and greater security.
- TLC will coordinate at least 1 workshop or webinar on immigrant rights, immigration law practice, or other immigration related topics, and will participate in additional events organized by other providers. This will be done in conjunction with community groups that regularly serve immigrant residents.

3. Public Purpose and Need

Both Hawaii's Supreme Court Justice and the Office of the Public Defender have identified that there is a great need in our state for accessible and affordable legal counsel for low-income residents seeking assistance on immigration matters. (See letter from the Office of the Public Defender attached). There simply aren't enough attorneys trained in the highly specialized area of immigration law who are willing to work in the public sector (nonprofits or pro bono). And yet over 100,000 Hawai'i residents do not have U.S. citizenship status.

Disasters like the Maui wildfires and the Covid pandemic have had disproportionately challenging impacts on low-income immigrant residents, who often don't understand English-only information about recovery and legal resources available to them—or worse, who aren't eligible for government relief or medical treatment benefits because they are either undocumented or have special visa status like migrants from the COFA nations (who retain citizenship from Federated States of Micronesia or the Republics of Palau and Marshall Islands, which fall under the Compacts of Free Association).

The process of applying for U.S. citizenship or for other changes to one's immigration status can be very complex for many. While some clients might require only brief service for routine matters, many of those referred to TLC have difficult, multi-layered cases that require extended advice and counsel. Clients include those seeking defense against deportation, applying for asylum to escape home-country persecution, pursuing family

reunification, and those needing to replace work and travel authorizations after losing immigration documents in the Maui fires.

Individuals having to appear before a federal judge in immigration court are not afforded a public defender like in civil or criminal court. This includes unaccompanied children who make their way to Hawai'i to escape violence in their home countries, to rejoin family members, and/or to pursue work opportunities so that their family back home has hope of a safer, more stable future. Shockingly, many unaccompanied minors have no choice but to represent themselves in immigration court—even with language barriers and no understanding of the law. Understanding when and how to appear in court – especially given our island landscape which requires neighbor island residents to appear in Honolulu immigration court – is a nearly insurmountable barrier for some.

Alarming, the rates of unaccompanied minors entering Hawai'i—while not as high as in the southern U.S. border states—have doubled in 2023 over the prior two years. The Office of Refugee Resettlement released 53 unaccompanied minors to sponsoring adults in Hawai'i in 2023, 2.3 times the numbers arriving in 2020 and 2021. One immigration attorney colleague on Maui has recently retained 17 unaccompanied minor clients there, an overwhelming number for one attorney to manage. He requested assistance from TLC's legal team following the fire, and is overwhelmed with the number of requests for pro bono assistance he is getting from immigrant Maui residents.

The few providers of immigration legal services in our state are limited in some ways that TLC is not. For instance, another nonprofit can provide guidance on immigration paperwork and some legal matters year-round, but can't represent certain complex cases or appear in immigration court because it doesn't have an immigration attorney on staff. While Legal Aid can take on some trafficking- or victims of violence-related cases, their attorneys are restricted by federal funding to work on many other types of cases that TLC is able to take on. As a result, many removal defense and asylum cases are now being referred to TLC and the demand/need is growing.

Expert legal representation increases the chances of protecting immigrant rights and securing a positive outcome. Nationwide, according to the American Immigration Council, immigrants who are petitioning for U.S. legal status and who have an attorney are five times more likely to obtain relief from deportation than those without counsel. In 2016, 90% of those who were denied asylum had no legal representation, vs. 48% denied with legal counsel (Center for American Progress). Other studies have shown that successful petitions for permanent residency or naturalization lead to immigrants being better able to secure good employment (including an increase in personal earnings of as much as 11%), and to become more civically engaged — significantly boosting economic and social opportunity for them and for our community as a whole.

Hawai'i benefits enormously from our immigrant residents. Immigrants in our state contribute over \$17.5 billion to the state GDP—paying taxes, creating businesses, staffing essential jobs—while often being paid below-poverty rates and lacking access to social benefits (New American Economy, 2021).

The Legal Clinic's work is rooted in the fundamental belief in human rights and respect that should be accorded to every individual. TLC believes that unaccompanied immigrant children or adults seeking assistance with asylum petitions, family reunification, deportation defense, and other issues are entitled to high-quality, specialized legal counsel. As a matter of human rights, no person should be denied the help of a lawyer due to inability to pay or due to immigration status.

4. Target Population to Be Served

All TLC's clients are Hawai'i residents and must qualify as extremely low-income (from households that are at or under 200% of the federal poverty rate). TLC has represented clients from over 30 countries of birth, with a high majority of Filipinos and Pacific Islanders represented. The Maui fire disaster has increased the need for TLC services on Maui, where an estimated 30% of the Lahaina fire victims are foreign-born.

An estimated 100,000 Hawai'i residents are not yet U.S. citizens. Over 55,000 of those are lawful permanent residents ("Green Card" holders) and eligible to apply for naturalized citizenship but may need assistance in doing so. Another estimated 45,000 or more are believed to be undocumented or under-documented. These include residents who are seeking asylum, individuals who have overstayed their visas, and those with so-called DACA (Deferred Action for Childhood Arrivals) status. Many of these individuals may be entitled to legal protections but are vulnerable and could be reluctant to seek help.

While TLC already serves some of Hawaii's most vulnerable clients, there is a growing need to adapt our services to accommodate two sub-groups that are even more under-resourced than most – unaccompanied minors and members of the COFA/Micronesian community who are in the U.S. under special migrant work status without the benefits and protections that legal permanent residents and citizens enjoy.

Both the COVID pandemic and the Maui fire disaster showed that those who fall in these categories --along with limited English speakers--struggle the most to access basic necessities. Helping members of these communities move along the pathway to citizenship would provide them greater stability in times of emergency and otherwise.

TLC will do special outreach to provide immigrant minors and those who serve or assist them with information about their rights and opportunities for assistance. TLC will arrange for language interpretation and translation services to ensure that we can adequately meet the needs of our limited English speaking clients.

5. Geographic Coverage

Most of our clients have been Oahu-based though we have increased our ability to serve neighbor island residents, thanks in part to past GIA awards. As a result of the Maui fire disaster, we have been called to provide more regular help for fire victims on Maui, who have lost their immigration status paperwork or who recognize the urgency to apply for status adjustments in order to qualify for certain benefits and protections. We are increasing our services our service to Maui clients immediately and have hired an attorney to do so already.

In 2022, The Legal Clinic established a new partnership with community health workers on the Kona side of Hawai'i Island, where the Spanish-speaking population is growing, in part due to the need for workers on coffee farms and in other agricultural sectors. That is also one area where we have had requests to provide legal assistance to unaccompanied minors. There are no pro bono immigration attorneys based on Hawai'i Island that we are aware of.

TLC outreach efforts particularly target communities with a high percentage of non-English-speakers. Some of these are in more rural areas of the state. TLC's attorney also visits the federal detention center near the Honolulu airport, where some immigrant residents are detained with orders of removal (deportation).

III. Service Summary and Outcomes

The applicant shall clearly and concisely specify the results, outcomes, and measures of effectiveness from this request. The applicant shall:

1. Scope of Work, Tasks and Responsibilities

- Free legal services for at least 100 eligible clients, after initial screening, with professional language interpretation support as needed. Appointments are conducted in a confidential, trauma-informed, and supportive manner.
- Follow-up correspondence with clients regarding required documents, scheduling, etc.; Use of case management systems to track cases, appointments, and documents.
- Client representation in Immigration Court and USCIS interviews; accompaniment to oath ceremonies. Travel and visits to clients on neighbor islands and in the federal detention center in Honolulu if needed.
- Multi-lingual outreach via flyers, social media, TLC website, community groups, private immigration attorneys, public defenders, social workers, health workers, and faith leaders.
- Participate in at least two public clinics, workshops, or webinars that -combined - reach thousands of Hawai'i residents with information on pathways to citizenship and other immigration issues.
- Digital reformatting of the comprehensive [Hawai'i Immigrant Youth Guide](#) for ease of use and downloading from TLC's website, and ongoing promotion of this informative resource.
- Calls and meetings with national and community partners and other legal service providers to share information and resources.
- Staff travel to Maui and other neighbor islands, and rural O'ahu for client and partner meetings.
- Implementation of 2-hour child protection training and criminal background checks for staff working directly with children and youths.

2. **Timeline**

- 2024-2025: Throughout the grant period: TLC's legal team works daily with clients on new and pending matters, including SIJS cases with unaccompanied minors.
- Apr-Jun 2024: TLC will engage a new staff attorney to focus on serving Maui fire survivors who need immigration legal services. Collaboration with partners on legal service outreach and events. TLC's engagement coordinator will post flyers and resource information to TLC's social media channels and website. When possible, the information will be translated into more than one language. Digitizing of the immigrant youth guide begins. Attorneys will select summer law student interns and onboard them by June. Promising law students will receive hands-on instruction in immigration issues and will have direct client contact under close attorney supervision and mentoring. TLC staff will also begin implementing an improved case management system (Filevine).
- Jul-Sep 2024: Attorneys will put on a legal service training for law student interns and non-immigration attorneys, and when possible, also engage them in assisting clients in service clinic setting. Maui client services continue. Outreach materials will be translated into other languages. Summer law student interns complete their internships.
- Oct-Dec 2024: TLC will put on a first-time statewide Criminal Immigration seminar, in conjunction with other legal service providers. Maui client services continue.
- Jan-Mar 2025: The legal team will coordinate or participate in a know-your-rights immigration clinic or legal assistance workshop or training. Maui client services continue.

3. **Quality Assurance and Evaluation**

TLC will institute the following to monitor activities and outcomes, to evaluate impact and results, and to improve future work/services:

- Using case management software, timesheets, and spreadsheets, TLC's legal team will track hours spent on client services and document number of clients and type of services provided.
- Clients provide answers to eligibility and need screening questions during initial meetings with TLC's legal team members or at public workshops/clinics.
- Government agencies like U.S. Citizenship and Immigration Service and the Immigration Court provide information on types and adjudication of cases. TLC will also receive copies of client case outcomes from these agencies.
- TLC is required to complete and file monthly client and case reports with our national affiliate, the Immigration Law & Justice Network (ILJN) to track open and closed cases, client countries of origin, and case types. ILJN does a regular audit of The Legal Clinic's legal services and operations and also assigns a consulting immigration attorney to work with us.
- TLC will solicit feedback from community partners to evaluate workshops and events and discuss improvements for the next one.
- TLC will track the number of participants at events and take photos and/or screenshots of the events.

- Social media sites offer data on number of people TLC engages with messages we post and/or events we stream online.

4. Measures of Effectiveness

- TLC’s client records will show that we have provided free legal services to at least 100 low-income clients during the term of the contract. A majority of their matters will be resolved within a year’s time. TLC staff members will log over 4,500 hours of providing high quality immigration legal services/consultation for individuals and families in Hawai’i.
- TLC will be able to demonstrate an increase in the number of minors and COFA residents we serve. The expected result of serving the unaccompanied minors is to prevent the deportation of these particular clients.
- The outcome of the cases will be a direct indicator of how valuable this service was. Most will have a positive income, however due to technical factors related to the law and a client’s past, TLC won’t be able to have a positive legal outcome for every client. It remains important that TLC provide advice and counsel, and representation when appropriate, even for those cases which we may not be able to win.
- Workshop and webinar pparticipants will attest to having gained valuable knowledge from the event/s.
- At least 2,000 people on social media will have interacted with TLC’s posts or videos online. Data will show increased online following and webinar/live stream info-session views and participation. Comments and responses will be positive overall. As a result, more residents will be better informed of their options to move along the path to citizenship and greater security.

IV. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.
 - a. Budget request by source of funds ([Link](#))
 - b. Personnel salaries and wages ([Link](#))
 - c. Equipment and motor vehicles ([Link](#))
 - d. Capital project details ([Link](#))
 - e. Government contracts, grants, and grants in aid ([Link](#))
2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2025.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Grant
\$10,000	\$25,000	\$20,000	\$20,000	\$75,000

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2025.

Atherton Foundation	\$ 15,000	(requested, pending)
Byrne Discretionary Fund (US OJP)	\$ 120,000	(awarded)
Clarence T. C. Ching Foundation	\$ 20,000	(to request for FY25)
Equal Justice Works	\$ 65,000	(awarded)
First Hawaiian Bank Foundation	\$ 15,000	(requested, pending)
First United Methodist Church	\$ 30,000	(pledged)
Immigration Law & Justice Network	\$ 14,000	(pledged)
Hawai'i Justice Fdtn. (HJF) – IOLTA	\$ 160,000	(awarded)
Hawai'i Justice Fdtn. (HJF) – ILAF	\$ 12,000	(to request for FY25)
Hawai'i Community Foundation	\$ 30,000	(to request for FY25)
McInerney Foundation	\$ 20,000	(to request for FY25)
State of Hawai'i Judiciary contract	\$ 240,000	(to request for FY25)
Women's Fund of Hawai'i	\$ 10,000	(to request for FY25)
Other Foundation grants	\$ 33,000	(to request for FY25)
Individual Donations	\$ 100,000	(benefit event in April 2024)
Corporate Sponsorships	\$ 50,000	(benefit event in April 2024)
	\$934,000	

4. The applicant shall provide a listing of all state and federal tax credits it has been granted within the prior three years. Additionally, the applicant shall provide a listing of all state and federal tax credits they have applied for or anticipate applying for pertaining to any capital project, if applicable.

None. N/A.

5. The applicant shall provide a listing of all federal, state, and county government contracts, grants, and grants in aid it has been granted within the prior three years and will be receiving for fiscal year 2025 for program funding.

Hawai'i Justice Foundation - IOLTA fund (Hawaii State Bar Association)	4/1/24-3/31/25	\$ 100,000
Byrne Discretionary fund (U.S. appropriations)	11/1/23-12/1/25	\$ 33,500
Hawaii State Judiciary	November 2022-June 2024	
\$245,000 per year		
\$ 200,000 City & County of Honolulu GIA	FY2022 (Oct 2021 to Sept 2022)	
\$ 24,732 Hawaii State Judiciary/ILAF (HJF)	FY2022 (Jul 2021 to Jun 2022)	
\$ 46,631 SBA Payroll Protection Program	March 2021	
\$125,000 City & County of Honolulu GIA	FY2021 (Oct 2020 to Sept 2021)	

- 6.

Hawai'i Justice Foundation - IOLTA fund (Hawaii State Bar Association)	4/1/24-3/31/25	\$ 100,000
Byrne Discretionary fund (U.S. appropriations)	11/1/23-12/1/25	\$ 33,500

7. The applicant shall provide the balance of its unrestricted current assets as of December 31, 2023.

\$460,000 estimated.

V. Experience and Capability

1. Necessary Skills and Experience

The Legal Clinic has quickly earned recognition as a dependable provider of high quality immigration legal services, and an advocate for fair policies that improve the lives of Hawai'i's foreign-born residents. While still only four years old, TLC employs two of the 6-7 public interest-serving immigration attorneys that we know of in Hawai'i, who provide such services year-round without charging attorney fees. Even fewer immigration attorneys will take on cases of removal defense (deportation) at no cost, as these cases can be complex and extend over a year's time.

TLC is led by a seasoned executive director with several decades of nonprofit management and fundraising experience, and an attorney who specializes in litigation and EOIR (federal immigration court) cases. TLC's team also includes two legal assistants, a development and operations director, an engagement coordinator, and a recently-hired second immigration attorney—through a law fellowship awarded to TLC to respond to the needs of those impacted by the Maui wildfires. In 2024, we aim to hire a third attorney, another legal assistant, and an administrative manager. Contracted language interpreters and an accountant round out the team.

- TLC's board includes veteran lawyers, educators, faith and business leaders, Pacific Islander and immigrant representatives, an accountant, and a social worker. It is a very ethnically diverse board with strong networks and a passion for human rights and social justice.
- Relevant projects or contracts for the most recent three years: TLC is in its fourth year of operation since obtaining independent 501c3 status. In that time:
- TLC has provided high quality immigration legal services to over 500 unique individuals in Hawai'i, without charging the clients attorney fees.
- The City and County of Honolulu awarded TLC a Grants-in-Aid contract three years in a row, to provide immigration legal services.
- The Hawai'i State Judiciary in partnership with Hawai'i Justice Foundation has awarded TLC three years' of "Indigent Legal Assistance Fund (ILAF)" support (\$14k-\$25k/year) to date, to

provide immigration legal services to the most indigent (those whose household income is 125% or less than federal poverty guidelines). The Judiciary has also awarded TLC funding two years in a row to provide indigent legal services (2022-2024). The Judiciary has been satisfied with TLC's services to date.

- TLC and its partners have been putting on public citizenship workshops or immigration law related webinars for the past 4 years, starting even before TLC secured its own 501c3 status and was a mostly volunteer-run effort. Primary partners included UNITE HERE Local 5 union, the City and County of Honolulu's Office of Emergency Services, Harris and First United Methodist Churches, and the Refugee & Immigration Clinic at University of Hawai'i Richardson School of Law.
- From August to December 2020, Hawai'i Community Foundation contracted TLC to provide multilingual outreach and COVID relief assistance –“TLC CARES” project - to limited-English speaking communities on O'ahu. TLC brought on 12 multi-lingual contractors and partnered with 8 community groups to distribute cash assistance to over 1,300 households, share health and resource messaging with over 52,000 residents, and provide testing and/or benefits application services to 300 residents.

These projects demonstrate TLC's ability to do effective outreach, forge strategic partnerships, manage grant contracts well, and perform at a high level to deliver specialized services to a diverse and often marginalized population.

TLC is fortunate to be an affiliate of the Immigration Law & Justice Network (ILJN), which supports 19 organizations like TLC across the country that together operate over 50 clinics providing immigration legal and educational services. ILJN provides support to TLC through a pro-bono legal advisor and fundraising consultant, shared advocacy and educational resources, and a wide range of other peer network resources.

TLC is also a member of the National Partnership for New Americans (NPNA) network, one of the largest and most respected immigrant advocacy organizations in the U.S.

TLC is a proud member of the Hawai'i Association of Nonprofit Organizations (HANO).

2. Facilities

The Legal Clinic office has two O'ahu-based offices and is seeking a shared space in which to meet clients on Maui this year. Our first office is centrally-located, at the First United Methodist Church, across the street from the Honolulu Museum of Art, two blocks from Blaisdell Center, and easily accessible by car, public transit, and on foot. The church is leasing the space to TLC for \$1/year. It includes a separate office for an attorney to hold confidential client meetings and store files securely.

TLC's second office is in downtown Honolulu, where most of our staff now works. There is a private meeting room and a private office where our attorneys and paralegal can meet with clients. The office provides a light, dignified, safe, and comfortable space for clients, volunteers, and staff alike. It has two closed-door meeting rooms and a small client waiting area with toys and books to keep children busy. It is centrally located for bus lines.

TLC holds legal clinics and workshops in other borrowed spaces -such as in community centers, schools, and at other churches- in order to be accessible to residents across O’ahu and also on neighbor islands. When holding client meetings on the Kona side, the TLC attorney arranges to meet with clients at a church or other office that Spanish-speaking community health workers can reserve for us. TLC also is able to do much of its work remotely -helping clients via phone, email, and video-conferencing.

More recently, in Wailuku, TLC has joined Pacific Gateway Center, Legal Aid, and others to offer free legal services for Maui fire survivors at the Walter J. Cameron Center where there is a new “Immigrant Resource Center”.

VI. Personnel: Project Organization and Staffing

1. Proposed Staffing, Staff Qualifications, Supervision and Training

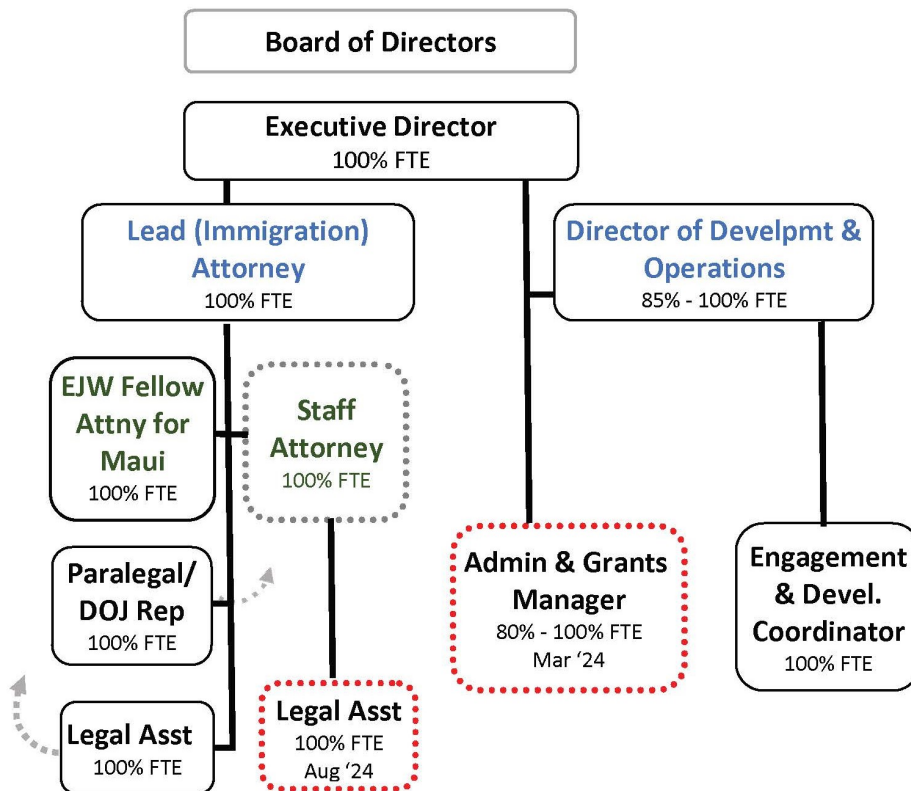
The Legal Clinic’s staff is composed of an executive director, two staff attorneys, two legal assistants, a development and operations director, and an engagement and development coordinator. In 2024, TLC plans to bring on a third immigration attorney, an administrative manager, and possibly also a third legal assistant. TLC retains a contracted accountant/CPA (LaCambra & Associates LLC) for accounting, payroll, and tax filing.

- TLC’s executive director (ED) Bettina Mok has worked in the nonprofit sector for over 30 years, as a prior executive director, youth programs manager, grantwriter, foundation officer, and as an independent consultant to other nonprofit directors. She has significant experience and training in fundraising, employee supervision, volunteer and board management, event coordination, program development and non-profit administration. Bettina has a Masters of Arts degree in International Administration. She was TLC’s first staff hire, and has served as ED since February 2019.
 - The ED is tasked with day-to-day administration and fiscal management of TLC, as well as with hiring and staff support, fundraising, partnership development, public outreach, event management, and communications with the board.
 - She will oversee implementation and tracking of the grant activities, and will work with the lead attorney to identify and develop strategic community partnerships. She will also manage consultant contracts and will work closely with the contracted accountant on the financial reporting of a grant award.
 - The proposed budget allocates State GIA funds to cover a portion of the ED’s salary.
- TLC immigration attorney Neribel Chardon joined TLC in 2023, having previously worked for a private immigration and family-based law firm in Honolulu. She provides direct legal counsel to clients on immigration matters, as well as legal education and training for staff, volunteers and the public. She represents TLC clients in federal immigration court and is registered with the Executive Office for Immigration Review (EOIR). She holds a law degree (graduating Magna Cum Laude) from the Pontifical Catholic University of Puerto Rico Law School. Previously she also practiced Labor and Employment Law defense litigation for 15+ years. This position currently reports to the executive director.

- Neribel will supervise TLC's second immigration attorney, Nanor Wong (Maui disaster response fellow), legal assistants, and student interns. Together, they provide the primary direct legal services to our low-income immigrant clients. They bring in language interpreters and translators as needed, to serve limited-English-speaking clients.
 - TLC's attorneys collaborate with the few other public interest immigration lawyers on O'ahu, and with others to promote fair policy and good working relationships among those working in the immigrant justice arena in Hawai'i.
 - Neribel. Neribel is also a Registered Spanish Interpreter (Hawaii State Judiciary) and Notary Public.
- The Director of Development & Operations role is held by Luella Costales, who recently joined TLC when we were able to post this job opportunity for the first time in late 2023. In this role, 25% or more of Luella's time is devoted to managing internal operations as our capacity and staff grows. Any funding from this grant for her position would be earmarked for her operations work in supporting the legal team's needs and related administration—such as documenting standard operating procedures, ensuring cohesive staff communications and organizational culture, and maintaining a healthy and functional work environment (facilities). Prior to joining TLC, Luella served as the Community and Resource Strategy Manager for the Oahu Economic Development Board, and logged over 35 years in nonprofit leadership, including serving on nonprofit and community boards, as a commissioner with the Honolulu Police Commission, and as a member of the Hawai'i State House of Representatives. This position reports to the executive director.
 - Viridiana Preciado is one of TLC's legal assistants, who provides support to clients and attorneys through doing initial client screenings and intakes, scheduling appointments, doing follow-up calls to clients for needed paperwork, documenting case management specifics in our online system, and assisting with client applications. Viridiana is also serving as TLC's language access coordinator to procure interpretation and translation services. She is a native Spanish speaker. A portion of this grant, if awarded would underwrite her salary, benefits, and payroll tax costs.
 - The Engagement & Development Coordinator role at TLC, held by Jamaica Cullen and reporting to the Director of Development & Operations, is a key role which manages most of our external messaging via social media, e-newsletters, the website, and snail mail. The coordinator also supports the legal team in doing outreach and logistical support for public workshops and webinars that educate the community about immigrant justice matters. If awarded, this grant would help pay for a percentage of her time devoted to multi-lingual outreach and volunteer and intern coordination.
 - Volunteers including bilingual speakers, law students, community partner representatives, and pro-bono attorneys are already regular contributors to TLC's work, and will continue to offer support, either remotely or in person at TLC offices or offsite events.
 - All staff participate in training, conferences and/or continued education opportunities at various points throughout the year.

2. Organization Chart

The Legal Clinic Organizational Chart FY24



Assists more than one attorney

Vacant

New in 2024

3. Compensation

The applicant shall provide an annual salary range paid by the applicant to the three highest paid officers, directors, or employees of the organization by position title, not employee name.

Executive Director	\$90,000-\$107,000
Senior Immigration Attorney	\$75,000-\$90,000
Immigration Staff Attorney	\$60,000-\$70,000

VII. Other

1. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgement. If applicable, please explain.

None. N/A

2. Licensure or Accreditation

The applicant shall specify any special qualifications, including but not limited to licensure or accreditation that the applicant possesses relevant to this request.

- The Legal Clinic’s staff attorneys, and any contracted lawyers representing clients on immigration cases, shall have a law degree, and membership in a state Bar.
- TLC’s staff attorneys are also authorized to represent cases and clients before the U.S. Citizenship and Immigration Service Executive Office for Immigration Review (US Department of Justice).
- The U.S. Department of Justice (DOJ) has designated The Legal Clinic to serve as a “Recognition & Accreditation Program” site. As such, non-attorneys serving with TLC –such as legal assistants, interns, etc., can apply to become DOJ “Accredited Representatives” who can then provide immigration legal services to Hawai’i residents with attorney oversight. TLC is aware of only four active DOJ Accredited Representatives in the State of Hawai’i serving our immigrant communities.

3. Private Educational Institutions

The applicant shall specify whether the grant will be used to support or benefit a sectarian or non-sectarian private educational institution. Please see [Article X, Section 1, of the State Constitution](#) for the relevance of this question.

This award/grant would not support a private educational institution (neither sectarian or non-sectarian) –as referenced in Article X, Section 1, of the State Constitution.

4. Future Sustainability Plan

The applicant shall provide a plan for sustaining after fiscal year 2024-25 the activity funded by the grant if the grant of this application is:

- (a) Received by the applicant for fiscal year 2024-25, but
- (b) Not received by the applicant thereafter.

TLC has recently hired a development and operations director for the first time, to invest in our longer-term financial sustainability. This development staffer will work closely with a board development committee and with the executive director to develop and implement an annual fundraising plan with a diverse revenue portfolio. The organization’s financial sustainability is an important component of our work and is reflected in our newly developed five-year strategic plan. The fundraising plan is evaluated for effectiveness at the end of every year and changes are made accordingly, if needed.

In addition to making personal contributions, board members actively engage in fundraising through grant writing, corporate sponsor cultivation, planning annual fundraising events, and conducting outreach to individual donors.

While all sources of funding are important, seven funding sources have been especially key to TLC’s ability to scale its work so quickly:

- The IOLTA fund of the Hawai’i Justice Foundation which provides general operating support for our legal services each year now.
- The State Judiciary which has in recent years committed significantly to our ability to provide free services to indigent Hawai’i residents.
- First United Methodist Church which only charges us \$1/year in rent for one of our office sites, and which has contributed \$50,000 year in unrestricted funds.
- City & County of Honolulu and State Grants-in-Aid funding have been critical to our growth.
- The Immigration Law & Justice Network, our national affiliate which contributes free technical support, and \$14,000-\$26,000 a year in funding to our cause.
- Private foundations that have renewed their support from year to year.
- Several hundred individual donors who donate through our annual benefit event campaign.

TLC remains flexible to respond to new sources of opportunities as they arise, including invitations to apply to national funding sources. To leverage financial resources, TLC utilizes existing community resources such as pro bono legal assistance, a growing volunteer base, and partnerships with other organizations and faith-based institutions. Engaging local law firms and attorneys through pro bono legal assistance is one example of how TLC utilizes the strength of its network to further its mission. Furthermore, free office space from the First United

Methodist Church of Honolulu has allowed us to save thousands in rental costs over these past four years.

We plan to secure corporate sponsorships for events and will prioritize law firms that have a vested interest in upskilling their attorneys in immigration law, creating reciprocal relationships to ultimately benefit the immigrants we serve.

BUDGET REQUEST BY SOURCE OF FUNDS

Period: July 1, 2024 to June 30, 2025

Applicant: The Legal Clinic

BUDGET CATEGORIES	Total State Funds Requested (a)	Total Federal Funds Requested (b)	Total County Funds Requested (c)	Total Private/Other Funds Requested (d)
A. PERSONNEL COST				
1. Salaries	60,100	33,500	0	568,000
2. Payroll Taxes & Assessments	7,813			70,000
3. Fringe Benefits	7,087			45,000
TOTAL PERSONNEL COST	75,000	33,500	0	683,000
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island				5,000
2. Insurance				5,500
3. Lease/Rental of Equipment				0
4. Lease/Rental of Space				35,500
5. Staff Training				8,000
6. Supplies				13,000
7. Telecommunication				7,000
8. Utilities				500
9. Contract Services				100,000
10. Case Fees				6,000
12. Marketing				5,000
13. Printing/Postage				5,000
14. Publications, Subscriptions, Memberships				8,000
15. Volunteer & Intern Recognition				6,000
16. Transportation: Mileage, Parking, Car Rental				8,000
17.				
18.				
19.				
20.				
TOTAL OTHER CURRENT EXPENSES				212,500
C. EQUIPMENT PURCHASES	0	0		5,000
D. MOTOR VEHICLE PURCHASES	0	0		0
E. CAPITAL	0	0		0
TOTAL (A+B+C+D+E)	75,000	33,500		900,500
SOURCES OF FUNDING			Budget Prepared By:	
(a) Total State Funds Requested	75,000		Bettina Mok	(808) 797-2599
(b) Total Federal Funds Requested	33,500		Name (Please type or print)	Phone
(c) Total County Funds Requested	900,500			
(d) Total Private/Other Funds Requested			Signature of Authorized Official	Date
TOTAL BUDGET	1,009,000		Bettina Mok, Executive Director	
			Name and Title (Please type or print)	

BUDGET JUSTIFICATION - PERSONNEL SALARIES AND WAGES

Period: July 1, 2024 to June 30, 2025

Applicant: The Legal Clinic

POSITION TITLE	FULL TIME EQUIVALENT	ANNUAL SALARY A	% OF TIME ALLOCATED TO GRANT REQUEST B	TOTAL STATE FUNDS REQUESTED (A x B)
Executive Director	1	\$100,300.00	20.000%	\$ 20,060.00
Director of Development & Operations	1	\$100,000.00	10.000%	\$ 10,000.00
Engagement & Development Coordinator	1	\$50,000.00	30.00%	\$ 15,000.00
Legal Assistant	1	\$47,000.00	32.00%	\$ 15,040.00
				\$ -
				\$ -
				\$ -
				\$ -
TOTAL:				60,100.00
JUSTIFICATION/COMMENTS:				

BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Period: July 1, 2024 to June 30, 2025

Applicant: The Legal Clinic

DESCRIPTION EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
N/A			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

DESCRIPTION OF MOTOR VEHICLE	NO. OF VEHICLES	COST PER VEHICLE	TOTAL COST	TOTAL BUDGETED
N/A			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

BUDGET JUSTIFICATION - CAPITAL PROJECT DETAILS

Period: July 1, 2024 to June 30, 2025

Applicant: The Legal Clinic

FUNDING AMOUNT REQUESTED						
TOTAL PROJECT COST N/A	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS		STATE FUNDS REQUESTED	OTHER SOURCES OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS	
	FY: 2022-2023	FY: 2023-2024	FY:2024-2025	FY:2024-2025	FY:2025-2026	FY:2026-2027
PLANS						
LAND ACQUISITION						
DESIGN						
CONSTRUCTION						
EQUIPMENT						
TOTAL:						0
JUSTIFICATION/COMMENTS: N/A <hr style="border: 0.5px solid black; margin-top: 5px;"/>						

JAMES S. TABE
STATE PUBLIC DEFENDER



LEE S. HAYAKAWA
ASSISTANT
PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

APPEALS SECTION
TEL. No. 586-2080

DISTRICT COURT SECTION
TEL. No. 586-2100

FAMILY COURT SECTION
TEL. No. 586-2300

FELONY SECTION
TEL. No. 586-2200

FAX (808) 586-2222

HILO OFFICE
275 PONAHAHAWA STREET, STE 201
HILO, HAWAII 96720
TEL. No. 974-4571
FAX No. 974-4574

KONA OFFICE
81-948 WAENA 'OIHANA LOOP, STE 110
KEALAKEKUA, HAWAII 96750
TEL. No. 323-7562
FAX No. 323-7565

KAUAI OFFICE
3060 EIWA STREET, ROOM 206
LIHUE, HAWAII 96766
TEL. No. 274-3418
FAX No. 274-3422

MAUI OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. No. 984-5018
FAX No. 984-5022

STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

June 27, 2023

Trustees of the McInerny Foundation
c/o Bank of Hawaii Foundation
Honolulu, Hawaii

Dear Foundation Trustees:

I am pleased to write this letter in support of **The Legal Clinic (TLC)**, which is seeking funding/grants from the McInerny Foundation.

In short, **TLC** has been a godsend for the Office of the Public Defender. In 2010, the United States Supreme Court decided *Padilla v. Commonwealth of Kentucky*, 559 U.S. 356 (2010), which significantly expanded the ethical duties and responsibilities of criminal defense counsel representing non-citizen clients. Notably, *Padilla* requires criminal defense counsel to be responsible for advising non-citizen clients of potential effects of a criminal conviction on their immigration status. Criminal defense attorneys quickly realized that the area of immigration law was complex, extremely nuanced, and, at times, unpredictable. Put another way, it became apparent that missteps by defense counsel in criminal court could result in dreadful, and often-times irreversible consequences in immigration court. And what further became apparent was that the Office of the Public Defender was ill-equipped to provide such legal immigration advice to the indigent, non-citizen clientele that we serve. Many criminal defense organizations across the country were in a panic on how to meet the demands of *Padilla*.

The Office of the Public Defender, without a funded position or a budget to hire an immigration specialist, was in a similar panic. **TLC** was the answer to our prayers – **TLC** assists the Office of the Public Defender with our clients that are concurrently experiencing immigration issues as a result of their criminal case. **TLC** advises our attorneys on immigration-friendly plea deals, safe havens, and the various forms of relief available to our clients. **TLC** informs us of the dangers of certain charges and certain pleas. The help and advice that we have received from **TLC** has made an enormous difference in the lives of our clients, and the lives of our clients' families. I can attest to the fact that **TLC** is fulfilling its mission to restore hope, dignity, and

justice for low-income immigrants through high-quality immigration legal services, education and advocacy.

It is estimated that in Hawai'i, more than 90,000 immigrants do not yet have U.S. citizenship – of which approximately 40,000 may be undocumented. Many of the undocumented residents of Hawai'i are hard-working contributors to our economy but earn below poverty-level wages and can't afford private immigration legal services. Yet adjustment of their immigration status could mean the difference between family security and separation, work authorization and unemployment, and the right to vote or not.

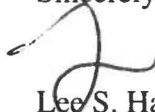
There are only a handful of qualified immigration attorneys in Hawai'i who provide pro bono services for our most vulnerable foreign-born residents. **TLC** is providing these services year-round, as well as educating the public on immigrant rights and advocating for fair immigration policies.

Since **TLC** opened its doors in 2019, I have observed the tremendous contributions its board, staff and volunteers have made in the community—especially through citizenship (naturalization) workshops and direct client assistance with legal services.

Thank you for considering an investment in the very important work of this organization.

Should you have any questions, please do not hesitate to contact me by telephone at 808-586-2208 or by e-mail at lee.s.hayakawa@hawaii.gov.

Sincerely,



Lee S. Hayakawa
Assistant Public Defender