

## Module 3: Implementing the Vision at the Local and State Level

# Advancing Universal Representation

A Toolkit for Advocates, Organizers,  
Legal Service Providers, and Policymakers

**Universal representation—a public defender system for all immigrants facing deportation—is based on the fundamental belief that everyone deserves due process under the law.** While a growing movement works toward a legally mandated and federally funded representation system, several counties, cities, and states have stepped up to fund deportation defense programs. Although many of these programs have not yet grown to full scale, they have adopted a universal representation model—one advancing the equitable delivery of legal services and rejecting narratives that some people are more deserving than others of due process and dignity.

This summary describes the best practices and lessons learned from Vera's experience—and the experiences of partners and national leaders implementing programs funded locally or at the state level that have adopted this universal model. Advocates, government staff, and legal service providers all have significant roles to play. Although legal service providers are responsible for representation, advocates can use these recommendations to make sure that programs are designed to both focus on local needs and guarantee

accountability to communities. These themes are explored in more detail in *Advancing Universal Representation: Module 3—Implementing the Vision at the Local and State Level*.

Jurisdictions developing universal representation programs should focus on the following recommendations.

### Emphasize collaboration and accountability

- **Establish close collaboration** among government leaders, advocates, lawyers, and community-based organizations.
- **Ensure that programs emerge from the immigrant communities they serve.**
- **Create structured mechanisms for ongoing community involvement**—such as an advisory committee or task force—to promote communication, accountability to affected communities, coordinated program implementation, and sustainability.

## Design programs to facilitate a zealous defense

- **Provide zealous, person-centered representation** for everyone facing deportation. Hold the government to its burden and present the fullest defense ethically possible in each case. Provide representation without judgment and with empathy.
- **Be broad and inclusive** by not imposing any eligibility criteria other than low income and a lack of private counsel.
- **Promote racial equity** by offering representation without regard to the perceived strength of the person's defense or their prior contact with the criminal legal system.
- **Prioritize representation for those in detention** if resources are limited.
- **Facilitate representation as soon as possible** after someone is detained or a charging document is filed. Continue representation until the completion of a person's case.
- **Fund representation in related proceedings outside of immigration court**, including before state and federal courts, and across immigration agencies. Such representation is often essential to a zealous defense.
- **Fund appellate advocacy** to advance favorable case law and provide a critical check on the immigration court system.

## Build sustainable programs

- **Pay for representation with public dollars.** It is the government's duty to protect due process. Expand the program's impact by developing regional funding partnerships or pursuing state-level funding.
- **Fund universal representation alongside additional interventions** to prevent people from facing detention and deportation in the first place.
- **Seek multiyear funding** with room to grow incrementally. This ensures that the budget process doesn't cause gaps in representation and allows organizations to manage staffing and caseloads most effectively.
- **Ensure that funding levels provide for all infrastructure needed** to create and adequately support legal teams, including personnel, overhead, professional development, travel, and litigation costs.

## Establish holistic defense teams

- **Develop a robust legal defense team**, including attorneys, paralegals, social workers or case managers, and administrative support specialists.
- **Support clients by hiring social workers or case managers.** Social workers help clients achieve

their desired legal outcomes and address the harms caused by detention and deportation.

- **Provide sufficient resources** to support reasonable, balanced caseloads, which is critical to providing a zealous defense, building a sustainable program, and reducing staff burnout and turnover.

## Embody the spirit of public defense

- **Embrace a public defender mindset**, ensuring that the government cannot exercise its incredible power and authority with impunity.
- **Celebrate a broader definition of success** measured not by a judge's decision, but by the degree to which due process and dignity are upheld.
- **Shift organizational and courtroom culture** to one that normalizes zealous representation for all—not just those with strong claims. When more attorneys hold the government to its burden, the culture of the entire court shifts.

For more information, contact Liz Kenney, associate program director, SAFE Initiative, at [ekenney@vera.org](mailto:ekenney@vera.org).

[vera.org/advancing-universal-representation-toolkit](https://vera.org/advancing-universal-representation-toolkit)