

MEMORANDUM

To: Legislative Research Commission; President Gerry Bradley; Provost Katie Cardarelli; Associate Vice President for Government Affairs Nick Peak

From: Dean Melanie B. Jacobs and Assistant Professor and Director of the Brandeis Law Immigration Clinic, Chris Kozoll

Re: Brandeis School of Law Immigration Clinic Update

Date: May 20, 2026

The Brandeis School of Law Immigration Clinic is a grant-funded (through the Kentucky legislature), live client clinic providing critical legal services to the public; teaching law students necessary skills to successfully practice law; and developing a pipeline of immigration law attorneys.

Through the Brandeis School of Law Immigration Clinic (“the Clinic”), Brandeis Law students have represented clients who are authorized to be present in the United States/Commonwealth of Kentucky but do not have the requisite documentation needed, for example, to work and obtain driver’s licenses.

In its first two years, fourteen individual students (including two who participated in clinic for a full school year) participated in the Clinic. To date, the Clinic has conducted intakes/assessed two hundred and forty-nine (249) individuals for benefits eligibility, including individuals and family members potentially qualified to derive benefits.

Of the 249 individuals assessed, one hundred and forty-five (145) are from Latin America/Caribbean; thirty-five (35) are from Asia; fifty (50) are from Africa; nineteen (19) are from Europe. A plurality (44) is from Cuba. Other individuals served have come from countries including Mexico (24), Egypt (17), India (14), Guatemala (13), Honduras (10), Democratic Republic of Congo (DRC) (10), Panama (8), Ukraine (8), Haiti (7), China (7), Bosnia and Herzegovina (6), Israel (6), Pakistan (5), Togo (4) Jamaica (4), Russia (4), Ivory Coast (3), Venezuela (3), Taiwan (3), Congo (2), Bangladesh (2), Jordan (2), Philippines (2), Brazil (1), Uganda (1), and United Kingdom (1).¹

¹ Several individuals, who were assessed as potentially deriving benefits through a parent or other individual, but were determined to be ineligible to do so, did not have their country of origin captured, but would presumably be from the same country as their biological parents. In other cases, the person seeking legal advice may have had one or more United States citizen children.

As of the end of the most recent semester, BIC has conducted one hundred and thirty-four (134) consultations, opened² ninety-seven (97) total cases, resulting in one hundred and twenty (120) matters,³ of which sixty-six (66) remain open. The closed matters include sixteen (16) stand-alone EADs (work permits) issued, six (6) research projects⁴ completed, eight (8) Lawful Permanent Resident (LPR) cards issued, one (1) client naturalized, and four (4) Freedom of Information Act (FOIA) requests completed.⁵ Other matters include inquiries made into the status of pending cases that did not result in further work.

There are currently sixty-two (62) active matters. Forty-four (44) are for Permanent Resident Applications.⁶ Two (2) are for documentation of already acquired Lawful Permanent Resident Status. One (1) is a FOIA applications, two (2) are naturalization applications, and eleven (11) for non-Immigrant status.⁷ Two (2) are for research projects expected to result in applications either for LPR status or naturalization.

BIC's work includes University of Louisville graduate students in STEM fields who qualify as either "advanced degree professionals," "persons of exceptional ability," or persons whose pursuits USCIS determines would be in the national interests. These are individuals who could become entrepreneurs or work in science and technology fields, and because of the work of BIC, will now have greater latitude to do so in Kentucky.

In addition to the individuals for whom BIC provided either consultation or direct representation, BIC expanded its participation in the Immigration Court's Friend of the Court program. A person appearing as Friend of the Court is a bystander whose mission is to aid the court, to act only for the personal benefit of the court.⁸ Participants acting as Friends of the Court complete basic forms and motions, such as change of address forms and motions to change venue, which *pro se*

² Several cases were "opened" as Intakes/Consultations, but resulted in a determination of ineligibility for benefits, inappropriateness for clinical resources, or did not opt to pursue benefits at this time. For this report, these individuals are quantified as consultations conducted/assessed, but not as cases opened.

³ Several individuals have had multiple, independent pieces of work performed. For example, Cuban nationals who initially presented to the clinic for a work permit application, later became eligible to apply for permanent residence. In other cases, after conducting research or a FOIA request, BIC obtained the information it needed to clarify that an individual was eligible for a further benefit. As used in this report, "cases" refer to individuals for whom some work has been performed, beyond initial consultation and assessment, while "matters" refers to independent pieces of work completed on behalf of the client. Thus, every case opened represents at least one matter but may reflect multiple matters.

⁴ Research projects include research on ability of an individual to qualify for specific employment-based visas, and the limitations and benefits of such visas.

⁵ Freedom of Information Act (FOIA) Requests, while counted as cases in and of themselves, are often preliminary, investigative cases to assess the viability of pursuing further action on behalf of clients. We anticipate that several of the FOIA cases will result in either Permanent Resident or Citizenship applications. However, some FOIA requests result in a determination that a person either is not eligible or not yet eligible to apply for benefits and result in no further action.

⁶ Permanent resident applications typically include an application for work permit during the pendency of the application and ultimately result in issuance of an unrestricted eligibility to work in the United States.

⁷ Non-immigrant status results in the issuance of documents needed temporarily to live, and if eligible, work in the United States.

⁸ Memorandum, *Friend of the Court Guidance*, Brian O'Leary, Chief Immigration Judge, September 10, 2014, p.1.

litigants then submit to the Court. While the role of students participating in this program is to assist the court, rather than individuals, the completion of change of address forms and change of venue motions nevertheless provides benefit to individuals by insuring that they are aware of their obligations to the Court, and that the Court has appropriate contact information in the case of a change in the date, time, or location for proceedings. To date, BIC students provided such assistance to the Court by helping eighty-three (83) individuals to complete paperwork required by the Court. The students' participation also allowed them exposure to Court procedure, and observation of various attorneys who were representing clients.⁹

Among the most important tasks students learned to perform were to properly assess individuals' current citizenship and immigration statuses, eligibility for immigration benefits (including any disqualifying factors), develop a plan of action to assist individuals, and execute the steps necessary to assist an individual to obtain benefits. For individuals who were determined to be ineligible for benefits or whose cases were determined not to be an appropriate use of BIC Resources, students learned to deliver unwanted news to people, including advising as to ineligibility or referring cases to other counsel. During each semester, each student has conducted several intakes in a semester, in addition to their live case work.

BIC's use of modern case management software has benefitted students by teaching them how to gather information electronically, set deadlines, prepare forms and track case progress electronically. Students learned the importance of consistency in case management processes, which has become more important as BIC's case load has grown, and adjudication times for many cases have increased, requiring students to "pick up" and "hand off" in progress cases each semester. Changes to the current administration's immigration policy has specifically impacted this work, as applicants from approximately forty countries have had adjudication of their benefits paused indefinitely.

In addition to developing expertise in identifying eligibility, preparing forms, and applying for Lawful Permanent Residence on behalf of clients, students learned to research complex issues intersecting employment, tax, and immigration law. Students applied these skills to the benefit of live clients seeking the clinic's assistance. Finally, multiple students developed expertise in obtaining permanent residence for their clients, with foci on Cuban Adjustment Act applications and EB-2/STEM Adjustments.

Beyond direct client representation of individuals, BIC continued to work with groups such as the La Casita Center and is beginning to work with Homeland Security Investigations, the Mayor's Office of Immigrant Affairs, the Kent School of Social Work, and others.

BIC also began addressing the need for creating a pipeline of immigration attorneys in Kentucky. Since its inaugural semester, fourteen individual students (including two who participated in clinic for a full school year) participated in the clinic. Of these students, eight have graduated and six remain students at Brandeis School of Law. Two students are currently placed in full time

⁹ Individuals who contacted the clinic after the close of Spring Term have been assessed as to timeliness of the matter and any impending deadlines. Cases were prioritized based on the urgency of the matter. The Clinic is continuing to accept cases over the summer, while identifying work that would most benefit students in the upcoming Fall semester.

immigration jobs post-graduation. Another graduate had applied for a position in Criminal law prior to participating in BIC, and ultimately accepted a position in that field, but has reported that the skills and knowledge obtained through BIC is important to that graduate's work. One other student has expressed an intent to work in immigration law after completing a previously accepted judicial clerkship. Finally, enrollment continues to hold steady, with six students currently registered for BIC next semester. Of the students enrolled for next semester, BIC Director has begun involving the students in networking events taking place over the summer, which BIC director anticipates will result in larger numbers of students making employment contacts in the immigration field.