

Katie Toman  
Equal Justice America  
Re: Matthew Caponi Summer 2018 Exit Reporting

I spent my summer working with Refugee Services of Texas' Austin office, in the Immigration department. Refugee Services of Texas provides a range of services to refugees and asylees, including case management, employment assistance, cash assistance, social services, and other services aimed at helping refugees and asylees successfully assimilate into their new homes and lives. RST's Immigration team focuses on transactional, "offensive" immigration work—citizenship applications, Legal Permanent Resident (Green Card) applications, family immigration petitions, etc., offered free in limited cases and "low-bono" in all others—as opposed to "defensive" immigration work, like removal or family separation proceedings. This was a challenging and rewarding time to be working in this field and in this department, for several reasons. One obvious reason was the onset of media attention spurring public outcry over the family separation crisis happening several hours away, which put a spotlight on work immediately adjacent to ours and on organizations we frequently work and communicate with, like RAICES and Texas RioGrand Legal Aid. Hearing and reading so much about this issue while working on and for closely related but clearly distinct issues and clientele resulted in an odd mixture of satisfaction and helplessness, especially when talking to friends and family about my work.

More significant was the altered approach of USCIS under the Trump administration, which anecdotally, according to colleagues and associates at other legal service providers who have worked with USCIS under multiple administrations, is being stringent about minor things on applications that it would previously ignore, dragging out applications longer than previously, sending more Requests for Evidence than before, and generally being more difficult to work with. This has the result of increasing the burden on legal services providers such as ours and providing fewer immigration benefits each year. By way of illustration, early in the summer RST made the difficult decision to close intake until our caseload was at a more manageable level for our resources. This meant we stopped taking on new cases—other than citizenship applications, which are funded yearly by a grant from the Office of Refugee Resettlement—and focused entirely on old cases. Our organization is not the only immigration legal service provider in Texas to close intake this summer, and others are nearing that point as well. Immigration legal service providers and attorneys in Texas are strained near their limits by the sheer amount of work needed and increased demands from USCIS and the rest of the federal immigration apparatus.

For RST Austin and myself in particular, this summer was particularly challenging for another reason. RST Austin faced significant turnover in the immigration department this summer. When I started, in June, RST Austin had two attorneys and two legal assistants. The attorney I interviewed with back in February had since departed, after three years at RST, to join her husband in Nevada, so the department was just easing out of a period of transition between the departing legal supervisor and the new supervising attorney. Additionally, my first week was the last week for

the non-supervising attorney, who accepted a job at a private immigration firm in town. Several weeks later, one legal assistant departed to accept a job at a similar immigration non-profit in Austin. Then, halfway through the summer, the supervising attorney resigned to return to her previous work in removal defense, leaving myself and the remaining legal assistant as the sole members of the Austin Immigration team. RST brought in two other attorneys from other RST offices at regular intervals to assist us with any questions we had, see clients for consults who needed legal advice, and handle any other matters specifically requiring an attorney, but we were otherwise on our own to manage a case load numbering in the hundreds of clients with pending or soon-to-be-filed immigration applications. Finally, near the end of the summer, the last legal assistant left to take another position, leaving me to keep the ship afloat for the last week and a half of my internship, including helping to train the new legal assistant who thankfully started during my last week.

The fact that this summer was one long period of transition for the Immigration department meant that my work transitioned with it. Initially, I worked on some research projects, like one for a particularly complicated T-Visa (victims of trafficking) case, which required finding and summarizing a collection of NGO reports on the state of the client's country of origin's legal, medical, and social services, to support the argument that the client would be losing access to important benefits and services if not approved for the visa. I also had daily work, like sorting, filing, and case noting mail, which primarily consisted of correspondence from USCIS, updating us on our clients' cases. Some of these notices would require action—like Requests for Evidence (RFEs) or Interview notices—and some would just need to be case noted and put in the client's physical file. Later, as the legal assistant who had been running our Citizenship program left, that program became my responsibility. This meant I had to go through our waitlist and call clients who qualified for the free program under the terms of the grant that supported it, screen the clients to confirm eligibility, schedule them for an appointment, complete the application with them, and then file it with USCIS. I completed fourteen of these applications over the summer; I had planned to complete more but had to stop scheduling appointments when the last legal assistant left and I was needed to take over her duties until the incoming legal assistant could be trained. This primarily meant keeping up with outstanding RFEs and other priority cases requiring action on our part. RFEs typically required discussing with our clients the evidence being asked of them and the evidence they could produce, clarifying any issues highlighted by USCIS from the client's application, and writing cover letters to USCIS explaining what documents we were or were not sending them and answering any questions asked concerning the original application. Additionally, our large volume of clients, most of whose cases did not actively require work on our part while being processed by USCIS, meant fielding inquiries from clients who wanted to know their current case status (this, of course, was exacerbated by USCIS's slow processing times). Most of the time, there was nothing to report to the client other than "USCIS says your case is still processing; all we can do is wait until they send us something," but sometimes the case was outside of the individualized "processing time," which meant we could submit a case inquiry on our client's behalf, which essentially prompts USCIS to pull the case file and see why it hasn't been processed. Finally, as the new legal assistant came on-board, my immediate priority became helping to train and orient

her in our internal procedures, USCIS's procedures, and giving her an overview of our active priority cases and outstanding RFEs so that she could take over the department when I left.

The high volume of cases, even after we closed intake for the summer, along with the amount of turnover (not uncommon for nonprofits, though exceptionally concentrated in this instance) made for a somewhat hectic summer, though it also meant I was given a great amount of responsibility and productive, satisfying work to do, for which I was very grateful, and I am proud of what I accomplished. I particularly enjoyed being able to work directly with our clients, nearly all of whom were wonderfully polite, respectful, and grateful for our assistance, and carried with them incredible stories of hardship and perseverance. Additionally, the staff at RST were universally dedicated, hardworking, and as inspiring as the clients they served. It was a singularly rewarding experience and I am grateful to RST and to Equal Justice America for helping make it possible.



August 30, 2018

To Equal Justice America,

This letter serves to confirm the fellowship Matthew Caponi completed as an Immigration Legal Intern for our Austin office at Refugee Services of Texas (RST) from June 4, 2018 – August 10, 2018 (10 weeks, 400 hours). Matthew greatly supported the work we strive to provide at Refugee Services of Texas and continuously demonstrated the initiative, flexibility, and intellectual ability critical in immigration law.

At RST, Matthew screened potential clients for naturalization eligibility, completed and filed Applications for Naturalization with numerous clients, and filed Fee Waivers and Medical Disability Exception waivers as needed. He diligently responded to Requests for Evidence from USCIS on behalf of clients applying for Permanent Resident Status or other immigration benefits, including drafting affidavits and mailing responses. Matthew also drafted other correspondence to USCIS or DHS on clients' behalf, including FOIA requests, with ease. He maintained professional communication with clients in person and over the phone as he responded to their inquiries, provided updates on their cases, set up appointments, asked for additional information or documentation needed for their cases, or referred clients out to other legal services providers. During Matthew's fellowship at RST, we experienced a transition period between immigration staff; Matthew singlehandedly maintained all immigration department activities for several days and aided in training a new legal assistant her first week.

Matthew maintained, updated, and organized physical and electronic client case files, including transcribing handwritten notes and shredding unnecessary documents once recorded. He worked often on closing cases, mailing case closure letters to clients, and filing closure letters in files. Additionally, Matthew filed Change of Address forms with USCIS on clients' behalf. He sorted and filed mail and various notices received from USCIS and meticulously entered corresponding information into RST's electronic case file management system. RST routinely refers potential or existing clients out to other nonprofit legal services providers in Austin, and Matthew updated this list for distribution to clients throughout the summer. Lastly, Matthew extensively researched, organized, and summarized sources related to the availability of legal and social services in a Central American country for use in support of a visa application.

RST is indebted to Matthew for his dedication and the countless contributions he made during the summer of 2018, and I am happy to answer any questions you have about his skills and capabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Erica Schmidt-Portnoy", written over a horizontal line.

Erica Schmidt-Portnoy, LMSW | Senior Programs Director  
Refugee Services of Texas

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