

CASE FACILITATION

CASE REVIEW

Advocate needs work done in country of origin to support case pending in destination country

Advocate contacts Justice in Motion

Justice in Motion reviews case with Advocate

Justice in Motion contacts appropriate Defender

CONTRACT

Advocate completes Case Facilitation Contract

Justice in Motion and Defender review and edit contract

Defender, Justice in Motion, and Advocate sign contract

ASSIGNMENT

Advocate and Defender in direct communication

Defender completes assignment

Defender sends receipts and time records to Justice in Motion

Justice in Motion reviews records and sends invoice to Advocate

PAYMENT

Justice in Motion pays Defender

Advocate pays Justice in Motion

EVALUATION

Advocate and Defender complete evaluation

Advocate reports case outcome to Justice in Motion

SERVICES OFFERED TO U.S. ATTORNEYS

JUSTICE IN MOTION

The mission of Justice in Motion is to protect migrant rights by ensuring that justice crosses borders.

THE DEFENDER NETWORK

Justice in Motion trains and supports human rights advocates in Mexico, Guatemala, El Salvador, Honduras, and Nicaragua. Some Defenders are attorneys, some are notaries, while others are advocates and community organizers. Justice in Motion matches Defenders with U.S. lawyers through our case facilitation process to protect migrant rights in employment or civil rights litigation and petitions for humanitarian immigration relief.

EXAMPLES OF SERVICES PROVIDED BY DEFENDERS

WHEN THE CLIENT IS OUTSIDE OF THE UNITED STATES

- **Locating Clients** when they lose touch.
- **Facilitating Communication** via virtual interviews, delivering documents, reviewing statements, and obtaining signatures on sworn declarations.
- **Interrogatories**: arranging for clients to complete and sign discovery requests.
- **Depositions**: providing logistical support for remote depositions and hearings, potentially serving as local counsel.
- **Finding Opt-in Plaintiffs or class members** through radio ads and outreach.
- **Injured Workers**: finding local medical assistance.
- **Coordinating Evaluations** by psychologists to support petitions for relief.
- **Settlement Distributions**: coordinating settlement announcements, obtaining signatures, troubleshooting the international transfer of awards.

WHEN THE CLIENT IS IN THE UNITED STATES BUT THE NEED IS OUTSIDE THE UNITED STATES

- **Witness Affidavits**: interviewing local witnesses and preparing declarations.
- **Document Collection**: assisting with birth certificates and other country of origin documents.
- **Service of Process**: locating witnesses or opposing parties and serving documents, completing return of service.

THE CASE FACILITATION PROCESS

U.S. Attorneys (“Advocates”) contact Justice in Motion and describe the case, the specific work needed, and the budget. Next, we locate the Defender best positioned to help and discuss availability. We then complete a case facilitation contract and put the Advocate and the Defender in direct communication.

The advocates **must** have Spanish language ability or quick access to interpreters. Justice in Motion does not provide translation or interpretation services. The charge is currently \$15 USD per hour for the Defender's time,* including travel time, plus costs incurred by Defender. In addition, we charge a \$50 USD administrative fee.

When the assignment is complete, the Defender submits time sheets and receipts to Justice in Motion. After a review, we bill the Advocate. Then, we pay the Defender. No money changes hands between the Advocate and Defender.

Two forms are required:

(1) **THE ADVOCATE AGREEMENT:** A one-time agreement outlining basics of working with Justice in Motion and the Defender Network on case facilitations. This agreement endures through any future case facilitations.

(2) **THE CASE FACILITATION CONTRACT:** The case-specific contract detailing the assignment. The Advocate fills in the template in English and Spanish and sends it back to Justice in Motion for review. All parties sign once everyone agrees.

*\$10 USD per hour goes directly to the defender and supports their regular work in their communities and \$5 USD per hour stays with Justice in Motion to support our programs.

BENEFITS OF CASE FACILITATION MODEL

TRUSTED LOCAL RESOURCES. The individuals and organizations part of the Defender Network are trusted human rights advocates who live and work in migrant countries of origin. The Defenders are geographic, political, and cultural insiders who are able to maneuver in a known local landscape. Defenders are independent of Justice in Motion.

LOW COST. The charge for case facilitations is minimal compared with the money a U.S. lawyer would spend on travel or for-profit support.

SUSTAINABILITY. The fee paid to the Defender is an investment in human rights in migrant countries of origin. Each time Defenders work on specific cases, they gain knowledge and skills to improve their service within their local communities and are better able to strategically engage in policy advocacy with their own governments for improved protections and enforcement.

DEFENDER ADVOCACY IN COUNTRIES OF ORIGIN

Some Defenders are attorneys who bring legal actions in their own jurisdictions. Some examples include: recruitment fraud, discrimination, retaliation, threats, intimidation, and referrals for victims of human trafficking.

LEGAL EXPERTISE AND TECHNICAL SUPPORT

Justice in Motion publishes a *Challenges in Transnational Litigation Manual* describing strategies and practice pointers for U.S. lawyers who represent migrant plaintiffs. Justice in Motion strives to remain current on legal developments surrounding migration to the United States from Mexico and Central America and migrants’ struggle to access the U.S. justice system. There is currently no charge for the manual, advice, or referrals. However, Justice in Motion always appreciates tax-deductible donations to support our various programs, including continued training of the Defender Network.

TO GET STARTED EMAIL:

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