

# EXHIBIT L

**DECLARATION OF DANIEL J. SHARP, ESQ.**

I, Daniel J. Sharp, Esq., declare as follows:

1. I submit this declaration in support of Plaintiffs' Motion for Class Certification. I have personal knowledge of the facts set forth herein, and, if called as a witness, could and would testify competently as follows:

2. I am the Legal Director of the Central American Resource Center (CARECEN LA), in Los Angeles, California. CARECEN LA was founded by a group of Salvadoran refugees whose mission was to secure legal status for the thousands of Central Americans fleeing civil war. The organization became a 501(c)(3) nonprofit organization in 1983, and since that time has provided a range of social, educational, and legal services to refugees and immigrants from Central America and other Latin American countries who are living in the Los Angeles area. We have been working with the Central American refugee community for over thirty years.

3. I have worked on refugee and immigration-related issues since 1997. I worked as a legal assistant at CARECEN LA from 1997 – 2000. CARECEN LA was instrumental in securing passage of the Nicaraguan Adjustment and Central American Relief Act (NACARA) of 1997 and as a legal assistant, I provided community presentations on NACARA eligibility to groups of immigrants and prepared applications of numerous NACARA beneficiaries. I also worked on many asylum and other immigration cases.

4. After graduating from UCLA School of Law in 2004, I worked for the local implementing partner of the U.N. High Commissioner for Refugees in San Jose, Costa Rica, until I returned to CARECEN LA as a staff attorney in July 2005. Since that time, I have represented individuals in numerous immigration matters. I represent individuals seeking various forms of relief, including asylum, in removal proceedings. I also represent individuals in their

appeals to the Board of Immigration Appeals and the Ninth Circuit Court of Appeals. In 2013, I became a Certified Specialist in Immigration and Nationality Law by the Board of Legal Specialization of the State Bar of California.

5. I became Legal Director of CARECEN LA in 2006. In this role, I am responsible for the supervision of our staff attorneys, BIA-accredited representatives and legal support staff. CARECEN LA's Immigration and Legal Services Program provides legal consultations and sliding-scale representation on a limited basis for individuals who cannot afford a private attorney. We offer a range of legal services, from brief consultations on discrete matters, to more involved applications for affirmative immigration relief and benefits, such as asylum, U-visas, relief under the Violence Against Women Act (VAWA), family-based immigration, Temporary Protected Status (TPS), Special Immigrant Juvenile Status (SIJS), Deferred Action for Childhood Arrivals (DACA) and naturalization. Including myself, our legal services program has four full-time staff attorneys and two accredited representatives, as well as a support staff of thirteen paralegals, legal assistants and intake/support staff. Additionally, we utilize a large corps of law student volunteers to maximize capacity with our limited resources.

6. CARECEN LA receives immigration cases through referrals, phone intakes, and walk-ins to our office. Once per month, we offer free legal orientation sessions where we provide information to the community on various issues facing persons in immigration proceedings. We receive some cases through those sessions as well. In total, we receive approximately 50 requests for legal representation from individuals in immigration proceedings per month, and approximately 500-600 requests per year. We prioritize intakes based on family income, legal eligibility, and available resources. We charge a small fee for our legal consultations and most other services.

7. As legal director, it is my responsibility to monitor the volume of intake we receive in order to assess our capacity to meet community needs and to alter our practices based on demand. At the present time, the community's need for CARECEN LA's services greatly exceeds our capacity, and we therefore cannot provide representation or even more limited assistance to numerous individuals who need our help. In fact, we have come so overwhelmed with intakes in the recent past that we have taken certain steps to manage the number of walk-ins and phone requests we receive. For example, we have reduced the amount of community outreach we perform, in part because CARECEN LA is already well-known for our services. In addition, the Executive Office of Immigration Review (EOIR) (the federal agency that constitutes the immigration courts), maintains a list of pro bono legal services providers that is handed out to individuals in removal proceedings who need legal representation. We have elected not to place our organization on that list because we know that we cannot absorb the requests for representation that we would face if we were on it.

8. Despite these measures, we still receive many more requests for legal representation than we can accept. A significant number of these requests come from children who are in removal proceedings. In a typical week, we receive approximately four or five in-person inquiries from children in removal proceedings who need counsel, and approximately fifteen to twenty such requests per month. We field another approximately eight calls per month from children in removal proceedings or their family members. After identifying callers as persons seeking representation for children in immigration proceedings, we generally explain our lack of capacity to represent them. We attempt to discourage callers from coming in personally for consultation to request attorney representation services that we are unable to provide. Instead,

we refer them to other legal services providers, as we cannot offer legal representation to the large majority of those individuals.

9. In the past two weeks, the numbers of telephonic and in-person inquires of individuals seeking representation of minors in removal proceedings have increased significantly. We have received roughly double the number of inquiries regarding representation of children in removal proceedings compared to prior months. While I do not yet know whether this recent spike in numbers is temporary, the previous volume of requests for representation already greatly exceeded our legal service capacity.

10. As part of my duties as legal director, I also coordinate our work with other legal service providers serving the Central American community in Los Angeles. I am aware that the capacity of other Los Angeles-based immigration legal service providers is similarly overextended. In late June 2014, I attended a meeting convened by CARECEN LA to discuss the pressing needs of immigrant children in removal proceedings. Representatives from eight organizations, as well as three local law school immigration clinics, attended this meeting. At this meeting, I learned that most Los Angeles-based organizations are unable to take on any significant number of new removal cases. Even those organizations that receive federal funds to represent immigrant children have reached their capacity limit. And although some private immigration attorneys are willing to take on cases *pro bono*, I have no doubt their contributions cannot meet the ever-increasing need for children's representation.

11. Our office does not receive funding specifically to represent individuals in removal proceedings, but on occasion, and depending on capacity, we take on a small number of particularly compelling or significant cases. Because those cases are extremely time- and

resource-intensive, however, we can only take on direct representation in removal proceedings for a small number of cases per year.

12. Included in that small number are a handful of cases involving children in removal proceedings whose cases we accept. These children are usually eligible either for SIJS or derivative U-visas through their family members. SIJS is a form of immigration relief available to a child when a state juvenile court declares that the child's reunification with one or both parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law. *See* 8 U.S.C. § 1101(a)(27)(J)(i). U-visas are available to individuals who have been the victims of certain serious crimes if they would be helpful to the authorities in an investigation or prosecution. *See* 8 U.S.C. §§ 1101(a)(15)(U)(i)(III) & 1184(p)(1). Unmarried children under the age of 21 may seek derivative U-visas based on the principal applications of their parents. 8 U.S.C. §§ 1101(a)(15)(U)(ii).

13. Currently, our staff represents approximately ten to twelve children in removal proceedings. As explained above, this figure represents only a small fraction of the total number of requests we receive from children who need counsel in their immigration cases. Our capacity and funding constraints force us to turn away large numbers of children in immigration proceedings, including those who may have meritorious claims for relief.

I declare under penalty of perjury of the laws of the State of California and the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 8th day of July, 2014 in Los Angeles, California.

  
DANIEL J. SHARP, ESQ.