



## Frequently Asked Questions

### **What type of activities does the ILF fund?**

The ILF provides time-limited, project support for funding needs related to:

- Impact litigation **including but not limited** to staff time, some organizational overhead (5%), travel, research, filing fees, interpreter and translation costs. Impact litigation must be focused on immigration enforcement issues;
- Convenings meant to advance coordination and strategy on an issue related to impact litigation efforts;
- Legal trainings and training materials on impact litigation related to immigration enforcement related issues;
- Organizing and communications efforts that are related to impact litigation efforts.

### **What does the ILF consider to be impact litigation?**

Impact litigation is litigation that seeks to bring systematic change. Impact litigation cases are lawsuits brought on behalf of large groups of people, known as class actions, or on behalf of individuals whose circumstances have significance beyond one person's claims. Impact litigation can rely on statutory law or constitutional claims.

### **Does the ILF fund immigration legal services?**

Generally, the ILF does not fund immigration legal services. However, the ILF will consider funding legal services-based projects that seek to advance immigration law at the Bureau of Immigration Appeals (BIA) or Federal Appeals Courts. For example, the ILF will consider support for legal services organizations that:

- Seek to bring habeas petitions on behalf of individual clients who have no access to bond hearings;
- Need additional capacity to bring BIA or Federal Appeals Court cases;
- Are seeking to set legal precedent on an immigration enforcement matters affecting a larger group of immigrants, beyond just the individual client in a case.

### **What are the steps that should be followed to apply to the ILF?**

Organizations interested in funding from the ILF should take the following steps:

- Read the [ILF funding priorities](#);
- Read the ILF FAQs;
- Contact ILF staff to set up a call to review the project for which you are seeking funding ([ilf@borealisphilanthropy.org](mailto:ilf@borealisphilanthropy.org));
- If Borealis staff determine that the project fits within the ILF guidelines, organization will be instructed to use the online grant portal to submit their application for funding.

### **Who is eligible to apply for funding from the ILF?**

Public interest legal groups, advocates, and community-based organizations may apply, if they are engaged in:

- Impact litigation;
- Advocacy and organizing connected to impact litigation; or
- Communications efforts connected to impact litigation.

### **How and when can organizations apply to the ILF?**

We have completed the first round of grantmaking. If you are considering applying for the November 1<sup>st</sup> deadline, you must first speak with a Borealis staff person to discuss your project's compatibility with the ILF's funding priorities. To schedule a call, please contact the Borealis staff at [ilf@borealisphilanthropy.org](mailto:ilf@borealisphilanthropy.org). You must schedule a call before October 25<sup>th</sup>. There will likely be another round of grants in 2020, please check the Borealis website for updates in early 2020.

Organizations who are encouraged to apply for funding after a call with ILF staff, can submit an application through the Borealis grant portal.

### **What is your timeline and process for making grant decisions?**

Proposals submitted between September 2<sup>nd</sup> and November 1<sup>st</sup> will be considered in the second round of funding. Applicants in this round will be notified about a whether or not their project was funded by November 15<sup>th</sup> and projects that are approved for funding will receive their grant awards by December 1<sup>st</sup>.

### **How much funding can I apply for from the ILF?**

The goal of ILF is to provide support for needs related to impact litigation challenging immigration enforcement policies and practices. Applicants to the ILF can request up to \$75,000 in funding.

Below is a list of the types of funding needs ILF can support through its grantmaking. **This is not a complete list** but merely examples of the kinds of costs ILF funding can support. Please note that non-litigation related costs must be connected to litigation efforts in some way.

Litigation related expenses:

- Current staff time or temporary staff time
- Up to but not exceeding 5% of related organizational overhead costs such as rent, employee benefits, and other operational expenses
- Expert fees
- Discovery related costs
- Translation and interpretations services
- Consultant costs
- Communications
- Temporary staffing needs including organizers, attorneys with special expertise, or administrative support.

Travel related expenses:

- Travel costs related to legal strategy discussions and planning for specific litigation
- Travel costs for witnesses, experts, or organizing partners related to specific litigation
- Travel costs related to case related investigations or research
- Travel costs for lawyers to meet and support plaintiffs and local organizers.

Convening related expenses:

- Space
- Facilitators
- Training materials
- Food
- Translation services or technology

Communications related expenses:

- Communication consultants
- Current or temporary staff time related to communications
- Up to but not exceeding 5% of related organizational overhead costs such as rent, employee benefits, and other operational expense related to communications
- Publications

Advocacy and organizing related expenses:

- Current or temporary staff time related to organizing, advocacy, or administration
- up to but not exceeding 5% of related organizational overhead costs such as rent, employee benefits, and other operational expenses
- Mobilizations
- Member organizing

**Can my organization apply to the fund if my impact litigation related efforts are focused on issues other than immigration enforcement?**

ILF funding is exclusively focused on supporting litigation efforts that seek to ensure the fairness of the nation's immigration enforcement system and is not currently accepting

applications for other types of litigation. If you are unclear whether your project or litigation fits within the fund's parameters, please contact [ILF@borealisphilanthropy.org](mailto:ILF@borealisphilanthropy.org) to schedule a phone call to discuss your questions and work.

**How will the ILF assess whether impact litigation efforts are coordinated with immigrant communities and organizations?**

The fund's grantmaking prioritizes litigation efforts that are connected to, and coordinated with, immigrant communities and immigrant-led organizations. As part of the fund's due diligence process, we will seek input from advocates and grassroots organizers about the issues being addressed in the litigation and the depth of collaboration between litigators and immigrant communities.

**Can organizations apply to the ILF more than once?**

Organizations previously funded by the ILF may apply for funding again. However, ILF grantees can only apply 12 months after receiving their previous grant and submitting their grant report. Please see your previous ILF grant agreement letter to find the end date of your current or previous ILF grant. For previous ILF grantees needing assistance in determining their eligibility, please contact ILF staff at: [ILF@borealisphilanthropy.org](mailto:ILF@borealisphilanthropy.org)

**What will the ILF NOT fund?**

The goal of ILF is to provide grants for litigation-related costs that are connected to an urgent need or opportunity. The reason for this specific focus is that these costs, because they are urgent or new opportunities, are not included in requests for general operating support. Funders to the ILF provide direct general support to many public interest legal and immigration advocacy groups already and want this Fund to focus specifically on new and urgent needs. Given this focus, ILF will not fund:

- More than 5% of on-going organizational overhead expenses such as rent, employee benefits, and other operational expenses
- Law school clinics, university-based programs, or private attorneys

**Before submitting a proposal and to ask questions about whether or not your project is eligible for ILF funding, please contact Borealis staff at [ILF@borealisphilanthropy.org](mailto:ILF@borealisphilanthropy.org) to schedule a phone call to discuss your project.**