

Mendez Rojas class eligibility flowchart found at:

[https://emmett-yael.github.io/ctl/mendez\\_rojas\\_flowchart.html](https://emmett-yael.github.io/ctl/mendez_rojas_flowchart.html)

**I. Framing:**

- a. The problem I am trying to address is one common to the practice of Immigration law: interns new to the law, volunteer attorneys new to immigration law, and official volunteers with organizational guidance but without any legal degrees, unofficial volunteers trying to help individuals known to them, and immigrants/asylum seekers/refugees filing their applications pro se are often tasked with analyzing and assessing complex immigration situations such as status eligibility. Legal guides exist to help those struggling with the analysis of immigration law, but it can still be very confusing to figure out what is legally correct or possible.
- b. In the setting of legal aid organizations, volunteers, interns, and new lawyers may spend excessive amounts of time ensuring that their reading and analysis of certain laws are correct. They may have to go to their superior to understand a ruling or eligibility test. Such unnecessary time spent on evaluating laws that could be summarized in a flowchart to expedite and simplify the legal analysis process means less time is being devoted to helping more immigrants and asylum seekers.
- c. I decided to tackle the problem of eligibility for asylum seekers within the Mendez Rojas Class. Determining eligibility requires reading a legal guide or the original case. Although some terms are defined in the guide, it would still be difficult for someone new to the law or to immigration law such as the interns working at De Novo Center for Justice in Healing, the organization I am partnering with, to follow and feel secure in their answer. I have decided to solve this problem using a flowchart coded with QnA.
  - i. Having a flowchart for guidance can also ensure a level of consistency. When different people analyze the same law, they may come to very different conclusions, whereas a flowchart would function as a safety net so that the person using it is less likely to get lost.
  - ii. The flowchart is also written as simply and clearly as possible for the purpose of ensuring that laypeople who are answering the questions are not giving untrue answers simply because they are not familiar with an obscure legal term or a certain form. This benefits both the asylum seeker and the person helping them who may have little experience.

**II. Research**

- a. In a phone call with my supervisor at De Novo Center for Justice and Healing, I confirmed my research: that there are no existing flowcharts, checklists, or simplified charts to help asylum seekers with the Mendez Rojas Class ruling outside of a legal guide that I used in order to create the flowchart.

**III. Ideation & Prototyping**

- a. I looked at the programs that would suit an analysis of eligibility or a certain class. I considered afterPattern but since there did not need to be a record of eligibility, and it's a yes or no question, I decided QnA was the only option I would be able to use.

#### IV. **User Testing**

- a. I asked three law students with broad experience in immigration (as interns and paralegals) test the flowchart with me as the client and them as the intern.
- b. This was consistent with how a real-world use of this flowchart would look because these mock client meetings took place over the phone and a lot of client meetings are conducted over the phone between the intern and the client.
  - i. I pretended to be the client answering their questions, prompted by the flowchart. I tried to make it authentic, answering one of the questions that I did not know if I had received individual notice because someone from a legal orientation program told me I had to file. This prompted the "intern" to go back to find the definition of individual notice to know how to answer the question.
    - 1. All three law students were able to follow this step and all reached the same conclusion for this question.
- c. I used the same answers every time guiding them through the flowchart until the end so that I, the client, would be deemed eligible for Mendez Rojas Class B
- d. All three users came to the same conclusion at the end of the test: That the client was eligible for Class B.
- e. After the tests were concluded, I asked the three users for feedback, specifically asking five questions:
  - 1. Any feedback or thoughts?
    - a. **E-** Remove parenthetical around removal proceedings Include must be DHS or EOIR for more info go to Make language more accessible – "did they tell you when to file by, or papers that give you a court date"
    - b. **B-** I liked it, I think it was clear, legalese is so hard in immigration – simplify the language
    - c. **H- (given after edits were made to language)** First question – separate into 2 questions or make clearer, Add acronyms after written out words every time, Clean up class B and class A membership, Individualized notice – define acronyms/consistency with EOIR AND DHS spelled out, Don't need the full written out can just say NTA (I am did not follow this advice for accessibility reasons), Missed acronyms for NTA, One-year deadline on second question needs a dash and the next time it says 1 year deadline – change to "one", Change language of "encountered" to met with 3<sup>rd</sup> question, Tell client how they would find out about DHS believing their fear is credible and believable
  - 2. Was it easy to use/follow?
    - a. **E-** Seems like it's easy to follow, checklist format was helpful
    - b. **B-** Yes
    - c. **H-** Yeah, very easy
  - 3. What would have made it easier?

- a. **B-** It was easy to follow and having the ability to scroll back up and look at prior questions made it easier
- b. **H-** The changes I recommended
- 4. What would you like to see added or changed?
  - a. **B-** Just the language. I liked the definitions
  - b. **H-** Just the changes I recommended
- 5. Would this and other like flowcharts help you in your work in immigration?
  - a. **E-** Yeah it would, specifically thinking about criminal immigration and how complicated everything is where different statutes apply – it would have been so helpful
  - b. **B-** Oh yeah
  - c. **H-** Oh my god, yeah. It would also just be a great resource for asylum seekers. It should be provided by the government!

#### V. **Refinement**

- a. I took the feedback and incorporated it into my program making changes to the language. After that, I had user “H” test it out, and took their suggestions updating the program again. Because of the users suggestions the flowchart became:
  - i. More Accessible to client
  - ii. Shifted who was being addressed in the text, so it is easier to read to the client
  - iii. Simplified for the client and the user as the language is broken down and legal terms are defined
  - iv. The major feedback was to change the language getting rid of legal terms and writing it as you would say it to the client, so no one has to translate from the flowchart.
  - v. An earlier version of the flowchart can be found below, highlighting the changes made:

[https://emmett-yael.github.io/ctl/mendez\\_rojas.html](https://emmett-yael.github.io/ctl/mendez_rojas.html)

#### VI. **Complexity/Robustness**

- a. I used QnA which involved using a coding language. This was very difficult for me as I did not have any experience coding. It is an admittedly simpler program than others, but I did my best to make it more robust by adding utility to the back button to learn more about definitions of terms if a client wasn’t sure about a term nor was the user.

#### VII. **Impact & Efficiencies**

- a. In my user testing, the feedback came back unanimously saying this type of program would have made their lives easier at their internship/paralegal/immigration jobs.
  - i. B said they want more of them
  - ii. H said they wanted to help me make more because it was so important
- b. I reached out to 3 organizations to offer it as an opensource resource
  - i. De Novo Center of Justice and Healing will be using it after their expert on Mendez Rojas evaluates it

- ii. Greater Boston Legal Services had an auto-response and will likely get back to me after winter break.
- iii. Immigration Family Institute replied from M saying they would be sending it to a staff attorney to look over and implement into use
- iv. I think these kinds of flow charts are particularly powerful in the field of immigration where few, lucky people have lawyers, while many are filing pro se.
  - 1. Such open-source simplified information could, if properly promulgated, make the lives of many immigrants and asylum seekers far easier and less scary when they are filing.

#### VIII. **Fit/Completeness**

- a. The flowchart addresses the problem of expediting work. The status quo is going through legal guides or the original case. This QnA flowchart method is:
  - i. Much faster
  - ii. Much easier
  - iii. More reliable in the majority of cases (I cannot think of a situation where it would be better to ask individuals to analyze this eligibility test over a flowchart, but I don't want hubris to get the best of me, so I'll just say in the majority of cases).
- b. The flowchart does what it was designed for – determines the eligibility for asylum seekers for the Mendez Rojas Class.
- c. The testers who gave me feedback were blown away that this could make the job of immigration attorney/intern/paralegal so dramatically simpler. I thought that was very telling of both the current immigration situation and the benefit of flowcharts like this to mitigate complex laws that laypeople must often try to understand, as well as those in the field.

#### IX. **Documentation**

- a. I have not yet emailed the documentation to address user concerns. I intend to send the following message to the organizations interested in using the flowchart:

The program for this flowchart is called QnA and can be found at <https://www.qnamarkup.org/> I have included the text (.txt) file that contains the code for the flowchart.

If you ever need to change or update the chart, paste the text from the attached file into QnA. When you press update outputs you will see the code as a flowchart, unless something is wrong, in which case the software will point you in the direction of the problem.

- To code with QnA follow the format as currently coded and please reference the Syntax page found here: <https://www.qnamarkup.org/syntax/>
- A Q: must be followed by an A:
  - These will all be numbered as seen in the text file.
- You can change the language after the Q and A without affecting the code if you keep the spacing the same.
- Do not use the space bar to indent. Use tab, or the program will not understand.

- `</br>` can go between lines and will create a break; `</p>` goes before and after a sentence to make sure it is separated from the next line with no spaces between; `GOTO:#` will take you to the Q(#) with the same number after it.

That is about as much as you need to know in order to use QnA. After you adjust the code, you should save the .txt file by saving (button on the bottom right). It will automatically save in .txt – then you must also save in .html full page found in the drop-down menu to the top right of the screen. You will be prompted to save.

You must then make a Github account by visiting [github.com](https://github.com). Once you have done that make a repository labelled “flowcharts” (or anything really). Then, upload the .txt and .html files you’ve saved by going into the repository and clicking add file → upload files. Once you press commit changes your website/flowchart will be active and you can find it at:

<https://YOUR-USERNAME.github.io/ctl/WHATEVER-YOU-MADE-IT-AS.html>

Bear this in mind when you are creating your username and saving your files because that’s what everyone will see.

I have agreed to maintain the flowchart and I can be reached at this email, but I wanted you to have this set of instructions in case I am for some reason unavailable and you need to make an adjustment to the chart.

Please let me know if you have any questions.

Warmly,  
Emmett Yael

#### X. **Real World Viability**

- a. The flow chart works! I haven’t had any bugs with it any of the times I have tried, it worked for the three testers I had using it. It is being run over Github’s server successfully and is ready to be used now. This should be able to help a lot of folks in the immigration/asylum communities now should it be found by those needing it.

#### XI. **Sustainability**

- a. I have agreed to be the point person for maintenance and sustainability. I am continuing on with the three organizations in some capacity so contact should be simple. If for some reason I am unable to make myself available I have documentation going out to each organization about how to fix or update the flowchart. I have included an email from my supervisor below to confirm that my I am continuing with De Novo.

