

SYLLABUS-UH IMMIGRATION CLINIC I **SPRING SEMESTER 2015**

Course Component and Case Rounds

Director Geoffrey A. Hoffman, Clinical Assoc. Professor
Prof. Janet B. Beck, Visiting Assistant Clinical Professor
Prof. Susham M. Modi, Adjunct Prof. and Clinical Supervising Attorney
Prof. Veronica Bernal, Clinical Supervising Fellow

Class time and location: Room TBD, 4-6 PM, Tuesdays

Case Rounds

Premised on the medical model, case rounds help students strategize about their cases with the help of the professors and also fellow students during class. For case rounds this semester, please be ready to discuss the cases assigned to you. You will be asked to present the status of your cases. You should provide a bit of the background of the case. You may be asked to discuss what arguments or research you think will be required to win your case. We will discuss the “theory of the case” and be ready to be asked about the details of the file. Please “learn your file” so you will be able to answer questions posed by the supervising attorney and/or fellow students.

Preparation

Please be sure to read the materials relevant to the topics for each class. These materials are located on the Y drive under course materials. Read those carefully. We will call upon students who should be prepared and ready to discuss the materials and/or cases. If you wish to read more about any particular topic or prepare more for any specific case, read the appropriate section in Kurzban's Immigration Law Sourcebook (14th ed. 2014). This resource has chapters and further information relating to all topics covering immigration law.

Practical Skills Training

After case rounds are completed in a given class, if time allows, we will have presentations on certain practical topics, for example: how to properly assist a client with an affidavit, confidentiality issues, interviewing skills, ethical issues in immigration practice, etc.

Outreaches

All students (both Clinic I and II) are required to do 2 outreaches this semester. There are plenty of opportunities to do outreaches. Prof. Beck will keep a record of all the outreaches done by students.

Grades

Your grade will be determined based on your performance on the cases assigned to you, as evidenced by your documents, your ability to work with your fellow students, meetings with supervising attorneys, as well as your Student Logs (in your Y-drive student folders) and class participation. For more information on grades, please see your Student Manual discussed during orientation.

NOTE: There is a 48-hour rule concerning sending out any work to be filed with the court or any administrative agency. This should not be construed to mean that you should ignore deadlines imposed by your supervising attorneys in the event they would like drafts or other work turned in earlier than 48 hours. All work must be turned in to your professor for their review by the deadlines *set by the professor* and no work product should be sent outside the Clinic, e.g. CIS, immigration court and BIA filings without the approval and signature of the professor. If a professor does not have enough time to review your work before it is mailed out and you miss the 48 hour deadline this will greatly adversely affect your grade.

Prof. Hoffman will be reviewing your Student Logs as well as your case files in the Y drive in order to determine your grade. He will also ask for input from Profs. Beck, Modi and TBA.

Journals

Please see the Student Manual for details regarding the contents of a journal. A hardcopy of your journals will be due at the beginning of designated classes and also must be emailed to all professors.

Weekly Case Sheets

In past semesters we required students to turn in weekly case sheets. In light of the new My Case web-based system we will not require weekly case sheets. However, note that your time must be entered into My Case at the end of each week. If this is not done for all students, we will return to requiring weekly case sheets. The My Case web-based program should be used frequently so that anyone on any particular case can be advised what is going on in that case.

My Case

Please see the Immigration Clinic Student Handbook in the Y drive. Remember to **keep all your time** in My Case. You will be required to print out all your time for each case, and show the time sheets to your supervising professors at the time of the mid-semester review meeting and also at the time of your final meeting (end of semester) with your supervising professors. **Also you are required to create a “new case” with your name in which you will save all your non-billable time.**

Class Attendance: Class attendance is mandatory unless otherwise excused with the written permission of Professor Hoffman, the Immigration Clinic Director.

Meetings with your Supervising Attorneys: Please see the Student Manual and Handbook. You must check in with your supervising attorneys on a weekly basis on each active case you have. An “active” case is defined as a case where there is currently some project with a due date or an on-going project: for example, a brief, research memo, court filing, etc. The meetings do not have to be lengthy but you must keep each supervising attorney advised and updated on the progress on your cases on a weekly basis. *Remember, you must commit to a minimum of 10 hours (not including 2 hours for class) in which you will be physically present in the clinic space. Your block schedule is your commitment and will enable us to find you when you are in the clinic.*

REMEMBER: READ YOUR MATERIALS PROVIDED TO YOU DURING ORIENTATION AS WELL AS COURSE MATERIALS ON THE Y DRIVE PRIOR TO THE CLASS IN WHICH THE VARIOUS TOPICS ARE DISCUSSED.

Class 1 JANUARY 20

Discussing “My Case” and Purpose of Case Rounds; Fundamentals of Immigration Law; Asylum, Withholding and CAT-Prof. Hoffman

Skills: Understanding the key law sections and regulations, and important cases surrounding asylum. Researching case law. How do you plan an asylum case? Developing a Theory of the Case. What facts are important? Affidavits and their Pitfalls. The Best Strategies to win cases.

For Background review Kurzban's (yellow cover 14TH Edition) or Essentials of Asylum Law (red) by the ILRC which is in the Clinic. **Review the Asylum and Removal folders in the Y drive under Course Materials/Fall 2014. Review the EOIR Practice Manual** so you can locate the EOIR website when you need it and look at the Appendices and click on Table of Contents. Review: basic information regarding EOIR procedures and websites, to be discussed in class.

Class 2 JANUARY 27

Practical Skills Involving Client Interviewing and Confidentiality –All Professors

Students should be prepared to interview and be interviewed on asylum/withholding and CAT fact patterns where the Interviewee will have the fact pattern and the Interviewer does not have the fact pattern and knows only that it is an asylum case.

CASE ROUNDS FOR STUDENTS WHERE PROFS. HOFFMAN/BECK ARE SUPERVISING ATTYS

Class 3 FEBRUARY 3

Crime Victims; U Visas and VAWA I -360/AOS; Cancellation of Removal – Profs. Beck and Modi

CASE ROUNDS FOR *SELECT* CASES – All Supervising Attorneys

Review: Y drive materials. ILRC books in the Clinic

Class 4 FEBRUARY 10

Legal Writing and Immigration Practice-Prof. Hoffman

Guest Lecturer TBD- Statutory Construction w/ Professor Hoffman

Practice Skills: Briefs and Motions. Using the EOIR and BIA Practice Manuals, students will write parts of briefs and full motions in class based on fact patterns distributed in class.

CASE ROUNDS ON SELECTED CASES WITH PROFESSORS HOFFMAN, MODI– BE PREPARED TO DISCUSS YOUR CASES

*****Journal Entry # 1 due before this class starts*****

Class 5 FEBRUARY 17

Effective Communication Skills for Attorneys and Secondary Trauma (Profs. Hoffman/Beck/Modi)

Setting limits with clients, negotiating fees (for private practice), giving your clients feedback to calm their anxiety, etc. In the clinic, we will discuss with how to deal with obtain information from clients, how to be firm in setting timelines for clients, how to lower client's anxiety levels, etc. We will discuss secondary trauma which is a problem for any professional dealing with clients who have experienced a great deal of pain and suffering.

Guest Lecturer: TBD

Class 6 FEBRUARY 24

Immigration Court Proceedings. Individual Hearings; Judicial Review (Profs. Hoffman, Beck, Modi)

Practical Skills: Procedural Issues in Merits Hearings. Preparing for and defending your clients' rights in proceedings. Effective techniques for representing your clients.

Read Materials on Removal Proceedings / Experts/ Bob Etyne Immigration Briefings article
In-Class Case Scenario(s). Practical Skills Training:

Be prepared to act as counsel for Respondent, Judge, the interpreter, a witness and/or trial attorney.

Class 7 MARCH 3

Grounds of Inadmissibility. Grounds of Deportability. Adjustment of Status. Consular Processing. Waivers of Inadmissibility (Profs. Hoffman, Beck)

Practice Skills: Asking the Right Questions, Preparing the adjustment application. Preparing Waivers. Preparing for the consular interview. Understanding that different rules apply to different people.

Class 8 MARCH 10

Follow up class relating to October 7 class

CASE ROUNDS

MID-SEMESTER LOGS ARE DUE NEXT WEEK

Schedule Interviews with your Professors for the mid-semester letters to clients and memoranda to file; status checks; and review of your Student Logs Y-drive folder.

*****Journal entry # 2 due before class today*****

SPRING BREAK MARCH 16-21 (NO CLASS)

Class 9 MARCH 24

Professor Beck will discuss direct/cross examination and will do an in-class exercise on expert witnesses.

Mid-Semester Logs are due by October 24 by Noon schedule times to meet with Prof. Hoffman for your mid-semester review. Remember to do mid-semester letters for all clients and mid-semester memos on each case.

Class 10 MARCH 31

Movie: "Chasing Freedom" (Prof. Bernal)

Discussion regarding skills and ethics of attorney in the film regarding an Afghani asylum applicant.

Class 11 APRIL 7

Family-Based Immigration (Prof. Beck)

Practice Skills: Determining the importance of family relationships. What questions to ask, how to prepare the applications. In-class exercises.

Class 12 APRIL 14

Special Topics in Immigration Law (Profs. Hoffman and Modi)

Cutting-edge Issues in Asylum Law: Firm Resettlement, Domestic Violence, Gangs, LGBT etc.

Fugitive Disentitlement Doctrine

Unlawful Deportation

****Journal # 3 due before class today****

Class 13 APRIL 21

CASE ROUNDS

We will first discuss final logs, evaluations and issues for closing of cases and transfer memos and letters. You will make appointments with your professors for final case dispositions. We will discuss in class what to bring to your final meeting with Prof. Hoffman, as well as providing you with a checklist for the final Student Logs.

(PLEASE REMEMBER THAT YOUR FINAL STUDENT E-LOGS MUST BE COMPLETED BY LAST DAY OF CLASS). You must put all final documents in the client's Y drive folder.

Class 14 APRIL 28 (Last Day of Classes)

Naturalization and Citizenship-Professor Hoffman

Schedule exit interviews with Professor Hoffman– interviews with Prof. Hoffman will be held this week.

All work must be in final draft form completed before you see Prof. Hoffman and final revisions, if any, due by today (Last Day of Classes).

Be sure to also meet with Professors Beck, Modi, and TBA as well.

Topics: Semester Review – Closing Letters and Closing/Transfer Memos – Closing Files –All files closed and all revised end of semester memoranda done by today. All Self-Evaluations must be emailed to Professors Hoffman and Heppard, Clinical Legal Education Director, before end of the semester. *Meet with Professor Hoffman for your final exit interview no later than end of this week.*

PLEASE DO NOT FORGET TO TURN IN YOUR JOURNAL ENTRIES WHEN DUE. THE TIMELINESS OF YOUR JOURNAL ENTRIES AND YOUR ADHERENCE TO DUE DATES WILL FACTOR INTO YOUR FINAL GRADE, AS WELL AS THE QUALITY OF WORK.

YOUR SELF – EVAL IS DUE TO ALL IMMIG. CLINIC PROFESSORS (COPY PROF HEPPARD) VIA EMAIL, BY APRIL 30.