

Asylum Law

Course No. 6304 / 18191

Fall 2026

University of Houston Law Center



Logistics	
When	Mondays and Wednesdays, 4 to 5:30 PM
Where	Room TK Face-to-Face
Instructor Office hours	Professor Georgianna Pisano Goetz Wednesday, 3 to 4 Adjunct Office 340D / Zoom by appointment
Contact Information	gmpisano@central.uh.edu Cell: (240) 285-2444

Introduction
<p>Welcome to Asylum Law, a course upon a subject that sits at the crossroads of international human rights, domestic policy, and foreign affairs. As immigration continues to be a politically charged and deeply polarizing issue in the United States, understanding the legal frameworks that govern asylum and refugee protection is more critical than ever. In recent years, debates over immigration policy have intensified, often reflecting broader societal divisions. This course will not shy away from these discussions but will instead provide you with the tools to navigate and critically engage with them.</p> <p>Throughout this course, we will explore the historical context and evolution of asylum and refugee law, tracing its roots back to global treaties, such as the 1951 Refugee Convention, and its development through U.S. legislation, including the Refugee Act of 1980. You will gain a comprehensive understanding of how these laws have been interpreted and applied over time, as well as how current political and social climates impact their enforcement.</p> <p>As future legal professionals, it is crucial that you approach this topic with a well-informed and discerning perspective. This course aims to equip you with the knowledge and skills necessary to contribute thoughtfully to the national</p>

conversation on immigration, particularly as it remains a prominent issue to the State of Texas.

Objectives and Outcomes

By the end of this course, you should demonstrate a comprehensive understanding of the following:

Sources and Evolution of U.S. Asylum Law: You will understand the key sources of U.S. asylum law and procedure, including significant historical events, legislation, and landmark cases that have shaped the current landscape of asylum and refugee law in the United States.

Legal Framework for Refugee Protection: You will be familiar with the relevant statutes, regulations, case law, and policies that govern the admission of refugees and the granting of protection from persecution or torture. This includes asylum, withholding of removal, and protection under the Convention Against Torture (CAT).

Requirements for Protection: You will gain detailed knowledge of the legal requirements necessary for being granted asylum, withholding of removal, and CAT protection in the United States, including the evidentiary and procedural standards that apply.

Procedures for Seeking Protection: You will be able to describe and analyze the various procedures for seeking asylum, withholding of removal, and CAT protection in the United States, from initial applications to appeals.

Government Roles in Asylum and Refugee Protection: You will explore the roles of the three branches of government—legislative, executive, and judicial—in both the creation and enforcement of rules regarding asylum and refugee protection, including their theoretical foundations and practical applications.

Key Government Agencies: You will understand the roles that key government agencies, such as U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and the Executive Office for Immigration Review (EOIR), play in the consideration and adjudication of asylum, withholding of removal, and CAT claims.

Judicial Review and Challenges: You will learn about the processes by which asylum, withholding of removal, and CAT decisions are challenged and reviewed in the federal courts, as well as the various restrictions on judicial review that exist within the U.S. legal system.

Balancing Humanitarian Needs and National Interests: You will be able to critically discuss the interplay between genuine protection needs and human rights considerations, on one hand, and national self-interests on the other. This includes addressing the challenges of maintaining the integrity of the application process in the face of the economic and political realities of the global refugee crisis.

Required Reading

The primary textbook for this course is *Refugee Law and Policy: A Comparative and International Approach (Sixth Edition)* by Musalo, Moore, Boswell, and Daher. This text will serve as the foundation for our study of asylum and refugee law.

In addition to the textbook, you will be assigned readings from various online sources, including articles, legal opinions, and media reports. All supplementary readings are hyperlinked within this syllabus and will also be shared via Canvas. It is essential that you keep up with these materials to fully engage in class discussions and activities.

The recommended secondary textbook for this course is AILA's Asylum Primer. The secondary textbook is not required and will not be explicitly referred to in class; however, the Primer is an excellent, practical resource on asylum law.

Law Center Attendance Policy

As noted in the student handbook (page 6), the Law Center has a minimum 80% attendance policy for students. Any student's nonadherence will be notified to the Office of Student Affairs (OSA).

Grading

Class Attendance and Preparation	15%
Midterm Examination	30%
Writing Assignments	15%
Final Examination	40%

The midterm and final examinations will be assessed anonymously. Your writing assignments will be assessed non-anonymously.

All exams will take place in person. There will be no take-home examinations in this course.

I. Writing Assignments

Legal writing is a cornerstone of the legal profession, serving as the primary means through which attorneys communicate with a diverse array of audiences, including colleagues, clients, courts, and administrative agencies. In this course, the writing assignment component is designed to enhance your ability to craft clear, persuasive, and effective legal documents, with a particular focus on the unique demands of immigration law.

Writing for immigration legal purposes requires a distinct approach, given the complexity of the laws, the emotional and personal stakes involved, and the need to navigate both domestic and international legal frameworks. In this course, we will place special emphasis on tailoring your writing to effectively advocate for individuals seeking asylum, ensuring that your arguments are not only legally sound but also compassionate and culturally sensitive. There will be at least three writing assignments, culminating in a legal brief advocating for a particular outcome in an immigration court proceeding.

Your graded writing assignments will be evaluated on several criteria, including clarity, organization, legal analysis, and the ability to adapt your writing style to different audiences. You will receive substantive feedback on these aspects of your writing; however, the writing assignments will receive a grade of 0-3.

0 = incomplete

1 = unsatisfactory

2 = satisfactory

3 = above average

By the end of the course, you will have developed a versatile writing skill set that will serve you well in any area of law, with a particular proficiency in immigration law.

This focus on writing is not just about meeting academic requirements—it is about preparing you for the realities of legal practice, where the ability to communicate effectively in writing can be the difference between success and failure, particularly in the high-stakes arena of asylum and refugee law.

Grade Adjustment for Class Participation

The Law Center allows instructors to raise or lower grades one-third of a letter grade (e.g., from a B to a B+; or A- to B+) on the basis of class participation.

Active participation in class discussions is essential to your success in this course. Engaging with the material through thoughtful analysis, asking questions, and contributing to discussions will enhance not only your understanding but also the collective learning experience of the class. Attendance is mandatory, and you are expected to come to class having completed the assigned readings and ready to discuss them.

Class sessions will often involve case studies, role-playing exercises, and debates. These activities are designed to deepen your understanding of the complexities of asylum and refugee law by placing you in the role of the legal advocate. Participation in these exercises is critical, as they will prepare you for the practical challenges of representing asylum seekers.

Completing the assigned readings in advance is not just a requirement; it is a crucial discipline that will directly impact your success in this course. As a future attorney, the ability to thoroughly prepare and engage with legal materials is foundational to your professional development. The rigor you apply to your readings will reflect your commitment to the practice of law and your readiness to tackle the demands of legal practice.

Please note that respectful and professional conduct is expected at all times. Given the sensitive and often contentious nature of the topics we will cover, it is crucial that discussions are approached with an open mind and a willingness to consider different perspectives.

Honor, Ethics, and Duties

I. Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

II. AI Generated Work Product

General.

Generative artificial intelligence is a form of machine learning that creates new and original output based on the data it has been trained on or has access to, employing algorithms to generate content in response to prompts. Examples of the technology include what are known as generative "large language models" (LLMs). Two well-known LLM implementations are ChatGPT and Claude. LLM output can include text, images, music, code, and more. This syllabus policy covers the textual output of generative LLMs (AI-Generated Work Product)—which can include computer code or programs and human-language content. Because AI-Generated Work Product can often mimic human intelligence, it could potentially be used as a substitute for a student's own work product. Such use is potentially problematic to the extent that it becomes a substitute for internalized student understanding of the

material or creates a dependency on AI-Generated Work Product, which may be strictly prohibited in settings that include the bar examination.

Prohibition.

Subject to the exceptions immediately below, your continuing enrollment in this course constitutes your pledge not to generate or to use any AI-Generated Work Product—whether from yourself or others—in relation to any assessment in this course. The term “assessment” means any graded or ungraded work product for this course that is submitted to the instructor, presented in a class session, or used in an oral or written graded assessment for this course.

Exceptions.

The following AI-Generated Work Product uses are exceptions to the preceding prohibition. The exceptions’ intent is to allow the generation and use of AI-Generated Work Product for specific, narrowly defined activities related to this course.

- You may generate and use AI-Generated Work Product for class preparation, although you must disclose the full extent of that use if your instructor asks. You may generate and use AI-Generated Work Product for study supplements to aid with general understanding of course content. This could take different forms that include creating examples or explanations of a concept, generation of diagrams and flow charts, “gamification” of course content, flash cards for study, or sample questions and answers.
- You may generate and use AI-Generated Work Product for an outline that summarizes the course content.
- You may use AI-Generated Work Product to check your originally drafted text for misspellings, grammar and punctuation errors, strength and clarity of prose, verbosity, effective transitional language and thesis sentences, word choice, excessive passive voice, and like things.
- You may use AI-Generated Work Product for the purpose of language translation.

Class-by-Class Schedule and Reading Assignments

The reading assignments appear below. When the reading is from the casebook, check the textbook supplement for any updates.

Included are hyperlinks for or uploaded to Canvas many of the readings outside of the course textbook, but in the places where we have not, you are responsible for downloading these readings.

I may modify the assignments depending on the pace of the class, changes in the law, and other circumstances. Any updates will be clearly communicated to the class in advance.

<p>Monday, Aug. 24</p>	<p>Ch. 1, The International Origins of Refugee Law</p> <p>Washington Post, 1/29/2017, A ship full of refugees fleeing the Nazis once begged the U.S. for entry. They were turned back.</p> <p>In-class exercise: Asylum Priorities</p>
<p>Wednesday, Aug. 26</p>	<p>Chapter 2, International Norms and State Practice</p> <p>Casebook, 73-98</p> <p>Exec. Order 13888, on Refugee Resettlement</p> <p>Exec. Order 14013 (Feb. 4, 2021).</p> <p>AILA on Exec. Order 14013 (Feb. 9, 2021).</p> <p>Proposed Refugee Admissions for Fiscal Year 2024</p> <p>Washington Post, States aren't buying Trump's no refugee recipe (Dec. 22, 2019).</p> <p>Vox, Biden finally raised the refugee cap. Now comes the hard part (May 10, 2021)</p> <p>Women's Refugee Commission, 10/4/2021, The Latest: Changes to the Asylum System Under the Biden Administration</p>
<p>Monday, Aug. 31</p>	<p>Chapter 2, International Norms and State Practice</p> <p>Casebook, 98-142</p> <p>2024 TPS Announcement for Haiti</p> <p>Human Rights First press release for Haiti TPS</p> <p><i>Chae Chin Ping v. U.S.</i>, 130 U.S. 581 (1889).</p> <p><i>Ekiu v. U.S.</i>, 142 U.S. 651 (1892).</p> <p><i>Fong Tue Ting</i>, 149 U.S. 698 (1893).</p>

<p>Wednesday, Sept. 2</p>	<p>Chapter 2, International Norms and State Practice</p> <p>Casebook, 144-150; 157-167 NYT, Indonesia: 60 Missing in Sinking of Refugees' Boat to Australia (July 23, 2013). National Immigration Justice Center, Explainer: Expedited Removal (Jan. 11, 2024).</p>
<p>Monday, Sept. 7</p>	<p>NO CLASS - LABOR DAY</p>
<p>Wednesday, Sept. 9</p>	<p>Chapter 3, Degrees of Risk: The Standard of Proof in Claims for Protection</p> <p>Casebook, 183-200</p>
<p>Monday, Sept. 14</p>	<p>Chapter 3, Degrees of Risk: The Standard of Proof in Claims for Protection</p> <p>Casebook 200-24 In-class exercise: Client Profile and Form I-589</p>

<p>Wednesday, Sept. 16</p>	<p>Chapter 3, Degrees of Risk: The Standard of Proof in Claims for Protection</p> <p>Casebook 224-67</p>
<p>Monday, Sept. 21</p>	<p>Chapter 12, The Process and Rights of Asylum Seekers</p> <p>Casebook, 985-1018 <u>Vox, <i>The major political transformation flying under the radar at the DNC (Aug. 22, 2024).</i></u></p>
<p>Wednesday, Sept. 23</p>	<p>Chapter 12, The Process and Rights of Asylum Seekers</p> <p>Casebook 1019-1095</p>
<p>Monday, Sept. 28</p>	<p>Chapter 4, The Definition of Persecution—Its Forms and Sources</p> <p>Casebook 269-89 Writing assignment: Legal Brief—Harm and Government Actor</p>
<p>Wednesday, Sept. 30</p>	<p>Chapter 4, The Definition of Persecution—Its Forms and Sources</p> <p>Casebook 296-98, 319-35</p>

<p>Monday, Oct. 5</p>	<p>Chapter 5, The Nexus Requirement</p> <p>Casebook 337-45, 352-74 Writing assignment DUE: Legal Brief—Harm and Government Actor Writing assignment: Legal Brief—Nexus</p>
<p>Wednesday, Oct. 7</p>	<p>Chapter 5, The Nexus Requirement</p> <p>Casebook TK</p>
<p>Monday, Oct. 12</p>	<p>Chapter 6, Persecution on Account of Political Opinion</p> <p>Casebook, 472-481; 491-507</p> <p>Casebook, 390-396; 411-412; 418-429; 442-450</p> <p>HRW, Saudi Arabia: Man Sentenced to Death for Tweets (Aug. 29, 2023).</p>
<p>Wednesday, Oct. 14</p>	<p>Chapter 6, Persecution on Account of Political Opinion</p> <p>Casebook, 472-481; 491-507</p>
<p>Monday, Oct. 19</p>	<p>In-class Mid-term Exam</p>

<p>Wednesday, Oct. 21</p>	<p>Chapter 7, Persecution on Account of Religion</p> <p>Casebook, 509-510; 551-562; 573-581</p>
<p>Monday, Oct. 26</p>	<p>Chapter 8, Persecution Based on Race or Nationality</p> <p>Casebook, 586-589; 605-647 Writing assignment due: Legal Brief—Nexus Writing assignment: Particular Social Group Statement</p>
<p>Wednesday, Oct. 28</p>	<p>Chapter 9, Persecution Based on Membership in a Particular Social Group</p> <p>Casebook, 657-675</p>
<p>Monday, Nov. 2</p>	<p>Chapter 9, Persecution Based on Membership in a Particular Social Group</p> <p>Casebook: 697-708; 737-756</p>
<p>Wednesday, Nov. 4</p>	<p>Chapter 10, Gender-Related Claims to Refugee Status</p> <p>Casebook, 773-790, 814-822 <i>Jaco v. Garland</i> Writing assignment due: Particular Social Group Statement Writing assignment: Legal Brief</p>

<p>Monday, Nov. 9</p>	<p>Chapter 11, Qualifications upon Protection</p> <p>Casebook, 877-879; 884-903; 952-965; 983-984; <i>Matter of Negusie</i>, 27 I&N Dec. 347 (BIA 2018) <i>Matter of A-C-M-</i>, 27 I&N Dec. 303 (BIA 2018)</p>
<p>Wednesday, Nov. 11</p>	<p>Chapter 13, Proving the Claim</p> <p>Casebook, 1097-1109; 1116-1122; 1144-1147</p>
<p>Monday, Nov. 16</p>	<p style="text-align: center;">Current Issues</p> <p style="text-align: center;">Reform and Resistance: The Politics of Asylum Law from Texas to Washington</p> <p><i>The Long Road to Change: Why Immigration Remains Elusive?</i> <i>Ballot and the Border: Asylum Law and Recent Elections</i> <i>Executive Orders and Asylum: Presidential Power in Action</i> <i>Borderline Authority: Texas, Operation Lone Star, and the Federal Divide</i></p> <p>Assigned Reading</p> <ul style="list-style-type: none"> • The U.S. Immigration Debate, Council of Foreign Relations (Aug. 7, 2024) • What is Operation Lonestar? Texas Tribune (March 30, 2022) • When Migrants Become Weapons, MIT Center for International Studies (March/April 2022) <p style="text-align: center;">Writing assignment due: Legal Brief</p>
<p>Wednesday, Nov. 18</p>	<p>Chapter 14, Current and Future Challenges in Refugee Protection</p> <p>Casebook, 1189-92; 1198-1212</p>

Monday, Nov. 23	Protection under CAT and Review via Zoom
Wednesday, Nov. 25	NO CLASS - THANKSGIVING
Monday, Nov. 30	Course Review and Final Exam Preparation via Zoom
Dec. 2-10	Final Exam Period