

**IMMIGRATION CLINIC I (5697)**  
**UNIVERSITY OF HOUSTON LAW CENTER**  
**SPRING 2024**

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Office hours: Tuesdays 11:30am-1pm  
Pronouns: she/her

**Class Sessions:** Tuesdays and Thursdays, 1pm to 2:30pm  
**Mode of Instruction:** Face-to-face

### **Required Textbooks**

David Binder et al., *Lawyers as Counselors* (4th ed. 2019)  
Paul Bergman, *Trial Advocacy in a Nutshell* (6th ed. 2016)  
Other readings and asynchronous materials will be posted on SharePoint.

### **Course Description**

As a student in this clinic, you will represent an asylum seeker from the first client interview, all the way through to the hearing in front of an immigration judge. You will be your client's attorney and therefore responsible for all aspects of the case—client interviewing and counseling, fact investigation and development, working with expert witnesses, legal research and drafting documents, negotiations, and trial advocacy. You will work in pairs or groups of three under the supervision of one of the professors.

In addition to the work you do on your client's case, known as fieldwork, there is a classroom component to the clinic. The class will meet twice a week and will include learning lawyering skills, substantive law, procedural rules, and ethical considerations, practicing new skills through simulation, workshopping written product, and participating in case rounds. Case rounds are group problem solving sessions where a team presents a problem to the class and the class helps the team to examine the problem, consider their own goals, and brainstorm solutions.

### **Learning Outcomes and Assessment**

By the conclusion of your participation in the Immigration Clinic, you are expected to competently:

- Take on the role and responsibilities of a lawyer representing a client and exercise professional judgment in all aspects of a representation;
- Solve problems through a process of deliberate and effectively-structured planning and decision-making;
- Research, develop, and assess legal arguments, investigate potentially relevant facts, and reassess arguments as new facts become known;

- Identify, analyze, and appropriately resolve ethical issues;
- Collaborate with other legal professionals and professionals from other disciplines;
- Conduct interviews that reflect careful planning and effective use of techniques to serve rapport-building, information-gathering, theory-development, and other goals;
- Identify and use effective techniques to deal with cultural, linguistic, and other differences that affect communication between clients, lawyers, and others involved in a case;
- Be sensitive to, and find ways to address, the effects of a client's traumatic experiences on memory, communication, and the lawyer-client relationship; and its impact on a lawyer's own mental health;
- Counsel a client in a way that effectively assists him or her in making informed decisions;
- Make persuasive, clear, and well-organized arguments in briefs and other forms of written advocacy;
- Present facts in a coherent, compelling and persuasive manner, both in written form (e.g., in client or witness affidavits) and by effectively organizing and presenting testimony at a hearing;
- Engage in effective oral advocacy that is both carefully-planned and responsive to the testimony, arguments, and adjudicator concerns that arise at a hearing;
- Engage in thoughtful and constructive self-critique and critique of others in a manner that fosters on-going learning and professional growth;
- Be able to explain, critically evaluate, and develop proposals for improving the legal standards and adjudicatory processes that you encounter in practicing asylum law.

### **Assessment**

Your grade for the clinic will depend both on the competence and professionalism you demonstrate in your fieldwork and your engagement in the classroom aspects of the clinic. More detail will be provided in the Immigration Clinic Manual.

This is an ordinary University of Houston Law Center course. According, Law Center policy requires the final grade average for the course to be 3.20 – 3.40 on a 4.0 scale or whatever scale is in effect at the time of enrollment.

### **Class Attendance**

*Class attendance is **mandatory** unless otherwise excused by one of the professors.* Students may not be absent for more than five classes and receive credit for the course unless an appropriate accommodation is sought and obtained. By attending class sessions, you are certifying that you are prepared for class which includes completing all readings, assignments, and any asynchronous materials.

In addition to class time, your case partnership or team will meet in person with your supervisor weekly, at a time that is convenient for all. Meetings with your supervisor may become more frequent as a deadline or a hearing approach.

Students are required to complete 50 hours of clinic work per course credit during the semester (i.e. 300 hours of clinic work for six credits). Clinic work includes class attendance, client work, and supervision meetings, but excludes time spent preparing for class unless it also is work on your client's case.

### Schedule of classes and major assignments

Readings, other seminar assignments and asynchronous materials will be posted.

Orientation 1	Weds., January 10 12pm-5pm	General Clinic Orientation – see other materials
Orientation 2	Thurs., January 11 9:30am-4pm	Immigration Clinic Orientation – Introduction to the Clinic, Collaboration, Basics of Asylum Law and Practice, Introduction to Case Rounds
Orientation 3	Friday, January 12 9:30am-4pm	Immigration Clinic Orientation – Interviewing I, Cross-cultural communication, Mental Health Issues in Asylum Cases, Asylum History and Current Context
Class 1	Tuesday, January 16 1pm-2:30pm	Interviewing II
Class 2	Thursday, Jan. 18 1pm-2:30pm	Interviewing III
Class 3	Tuesday, January 23 1pm-2:30pm	Case Theory
Class 4	Thursday, Jan. 25 1pm-2:30pm	Asylum II – Advanced Issues
<b>Deadline</b>	<b>Monday, Jan. 29 5pm</b>	<b>Deadline for completion of first client interview</b>
Class 5	Tuesday, January 30 1pm-2:30pm	Case Planning/Fact Investigation
Class 6	Thursday, Feb. 1 1pm-2:30pm	Case rounds
Class 7	Tuesday, February 6 1pm-2:30pm	Drafting Declarations I
Class 8	Thursday, Feb. 8 1pm-2:30pm	Drafting Declarations II
<b>Document Due</b>	<b>Friday, Feb. 9 5pm</b>	<b>Initial case plan due</b>
Class 9	Tuesday, Feb. 13 1pm-2:30pm	Experts
Class 10	Thursday, Feb. 15 1pm-2:30pm	Case Plan Workshop
Class 11	Tuesday, Feb. 20 1pm-2:30pm	Case rounds
Class 12	Thursday, Feb. 22 1pm-2:30pm	Client Counseling
<b>Document Due</b>	<b>Friday, Feb. 23 5pm</b>	<b>First draft of client declaration due</b>

Class 13	Tuesday, Feb. 27 1pm-2:30pm	Document Indexes
Class 14	Thursday, Feb. 29 1pm-2:30pm	Declaration Workshop
Class 15	Tuesday, March 5 1pm-2:30pm	Case Rounds
Class 16	Thursday, March 7 1pm-2:30pm	Brief Writing
Spring Break	March 11-16	Case work
Class 17	Tuesday, March 19 1pm-2:30pm	Legal Research
Class 18	Thursday, March 21 1pm-2:30pm	Ethical issues
<b>Document Due</b>	<b>Friday, March 22 5pm</b>	<b>First draft of brief due</b>
Class 19	Tuesday, March 26 1pm-2:30pm	Case rounds
Class 20	Thursday, March 28 1pm-2:30pm	Brief workshop
Class 21	Tuesday, April 2 1pm-2:30pm	Hearing Advocacy I
Class 22	Thursday, April 4 1pm-2:30pm	Hearing Advocacy II: Direct Examination
<b>Document Due</b>	<b>Friday, April 5 5pm</b>	<b>First draft of document index due</b>
Class 23	Tuesday, April 9 1pm-2:30pm	Hearing Advocacy II: Direct Examination II
Class 24	Thursday, April 11 1pm-2:30pm	Case rounds
Class 25	Tuesday, April 16 1pm-2:30pm	Hearing Advocacy III: Cross-Examination and Redirect
Class 26	Thursday, April 18 1pm-2:30pm	Hearing Advocacy IV: Closing Arguments
Class 27	Tuesday, April 23 1pm-2:30pm	Hearing Advocacy IV: Closing Arguments II
Class 28	Thursday, April 25 1pm-2:30pm	Last class

### Syllabus Changes

Please note that the clinic instructors may need to modify the course syllabus. Notice of such changes will be announced as quickly as possible over email and the new syllabus posted on Sharepoint.

### UH Email

Please check and use your Cougarnet email for communications related to this course. Faculty use the Cougarnet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your Cougarnet email, login to your Microsoft 365 account with your Cougarnet credentials. Visit University Information Technology (UIT) for instructions on how to connect your Cougarnet e-mail on a mobile device.

## **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.

## **AI Generated Text**

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not.

## **Diversity, Inclusion, and Wellness**

This is an inclusive learning space.

At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed.

In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status and other diverse identities that we each bring to class. Our class is richer for this diversity.

Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understanding of you and your colleagues. I encourage you to speak up and to share your views, but also understand that you are doing so in a learning environment in which we're all expected to engage respectfully and with regard to the dignity of all others.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. I want to be a resource for you. If you feel more comfortable speaking with someone besides me, the Office of Student Affairs (OSA) is an excellent resource.

### **Student Professionalism**

Our classroom is a learning space where each student is treated with respect and dignity and where everyone is provided the opportunity to participate, contribute, and succeed. In this course, all students are welcome regardless of background or identity. I encourage you to speak up and share your views appropriately throughout the semester. I also expect every class member to remember that in this learning environment and a law firm, we will engage respectfully, supportively, and with professionalism toward each other.

### **Preferred Name and Pronouns**

We will gladly honor your request to address you by an alternate name or gender pronoun. Please advise the professors of this preference early in the semester so that we may make appropriate changes to our records.

### **Anti-Discrimination and Sexual Misconduct Policies**

UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University System's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08. Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty and other University employees are required to report to the University any information received regarding sexual misconduct as defined in the policy. Due to this reporting requirement, faculty members and other employees are not a confidential resource. The reporting obligations under the sexual misconduct policy extends to alleged conduct by University employees and students.

### **Title IX/Sexual Misconduct**

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence.

You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

### **Accessibility and Accommodations**

UHLC is committed to ensuring that all students enjoy equal access and full participation.

If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), please reach out to us so that we may discuss options. If you require any support services, please contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in room 44A TU-II in the Office of Student Services suite, and she can be reached at [sary@central.uh.edu](mailto:sary@central.uh.edu) or 713-743-7466. Requests for accommodation that involve graded assignments **or client work** must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to document and to process the request. If you observe religious or cultural holidays that will coincide with synchronous class sessions or lawyering events, please let us know as soon as possible, so that we may make arrangements.

### **Reasonable Academic Adjustments/Auxiliary Aids**

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing [jdcen@Central.UH.EDU](mailto:jdcen@Central.UH.EDU).

### **Recording of Class**

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Furthermore, confidential client information is frequently discussed in class and dissemination of this information without proper consent from the client(s) involved could be a violation of the rules of professional conduct.

### **Resources for Online Learning**

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact [UHOnline@uh.edu](mailto:UHOnline@uh.edu).

### **Security Escorts and Cougar Ride**

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called “Cougar Ride” that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

### **Counseling and Psychological Services**

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus (<https://uh.edu/caps/outreach/lets-talk/index>).

The Texas Lawyers' Assistance Program (“TLAP”) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/lawstudents>.

### **COVID-19 Information**

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through email.

Students are encouraged to visit the University's [COVID-19 website](#) for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see [Student Protocols](#) for what to do if you experience symptoms and [Potential Exposure to Coronavirus](#) for what to do if you have potentially been exposed to COVID-19.

Data suggests that vaccination remains the best intervention for reliable protection against COVID-19. Students are asked to familiarize themselves with pertinent [vaccine information](#) and to consult with their health care provider. The University strongly encourages all students, faculty and staff to be vaccinated.

### **Other UH Resources**

[Diversity and Inclusion Statement](#)

[Non-Discrimination Statement](#)

[Center for Diversity and Inclusion](#)

[Center for Students with Disabilities](#)

[LGBTQ Resource Center](#)

[Cougars in Recovery](#)

[Counseling and Psychological Services \(see Section XIII\)](#)

[Veterans Services](#)

[Cougar Cupboard](#)

[CoogsCare \(Student Assistance Resources\)](#)

[DACA: What You Need to Know](#)

[Student Health Center](#)

[Wellness](#)