

# UNIVERSITY of HOUSTON | LAW CENTER

Clinical Legal Education Program



**2016 IMMIGRATION CLINIC NEWSLETTER**



# DIRECTOR'S NOTE

## Geoffrey Hoffman, Immigration Clinic Director

As Immigration Clinic Director for the past seven years, I've been happy to see our students help so many clients and the community.

In November 2016, Munsch Hardt Kopf & Harr, P.C. sponsored a Happy Hour for our clinic alumnae. Many of our students are now practicing law and working as immigration counsel in family-based and employment cases, and for non-profits and government agencies. **Nathaniel Martinez** (immigration clinic class of 2011), spearheaded the alumni event and joined our Advisory Board in 2016.

In March of this year we will go to Dilley Detention facility and advise families on their credible fear cases. Also, in the summer we will hold the annual Joseph A. Vail asylum law workshop.

The president's new administration has a lot in store for immigration law in the next few weeks and months. The clinic will be at the forefront in developing litigation strategies and working with the community to protect immigrants' rights in this new era.

We also hired two new clinical supervising attorneys in 2016, **Josephine Sorgwe** and **Rosemary Vega**. Both of them, along with **Janet Beck**, continue to be wonderful colleagues and dedicated professors teaching our immigration clinic students!



**Geoffrey Hoffman**  
Director, Immigration Clinic  
University of Houston Law Center

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# CLINIC HAPPENINGS

## Immigration Clinic students win release of LPR woman from removal proceedings



*Rosemary Vega, a supervising attorney in the UHLC immigration clinic, speaks with clinic student Melanie Fridgant.*

A woman from El Salvador, who was not eligible for an immigration bond due to a drug conviction from 2002, was in removal proceedings. At the time of her initial detention, August of 2015, she was a legal permanent resident but was not eligible for much relief. After many months in detention, attorney **Rosemary Vega** was contacted to represent her.

In September of 2016, clinic students **Melanie Fridgant** and **Edwin Villa**, under the supervision of Professor Vega, wrote a brief arguing that under a very recent 5<sup>th</sup> Circuit Court of Appeals case, *U.S. v. Hinkle*, the client was eligible to apply for Cancellation of Removal for Legal Permanent Residents under the Immigration and Nationality Act.

"The students did a remarkable job in preparing the packet and preparing the client's family members and the client's church friend as witnesses", said Vega.

At the final hearing, the students argued the case and gained the Immigration Judge's approval.

However, the day after the hearing the client remained detained. At once the clinic contacted the Chief Counsel to Immigration Customs Enforcement, who ensured that she would be released that day. She was released that night.

This case is significant because not only is the woman a long time legal permanent resident, but she is illiterate. The client had not applied to become a U.S. citizen because she cannot read or write, and therefore, cannot pass the naturalization exam. Due to her illiteracy, she has been victimized many times.

The client continues to be a permanent resident and is back with her family and volunteering at her church.

## Immigration Clinic defends "wave-through" entries of immigrants in amicus brief

*Courtesy of the UH Law Center*

With the help of the American Immigration Council, University of Houston Law Center Clinical Associate Professor **Geoffrey A. Hoffman** filed an amicus brief Thursday on behalf of immigrants vulnerable to deportation by the U.S. Department of Justice's Board of Immigration Appeals.

Hoffman, director of the Law Center's Immigration Clinic, co-authored the brief with **Mary Kenney** and **Aaron Reichlin-Melnick** of the American Immigration Council. Law Center students **Douglas Evans 3L**, **Tong Jin 2L**, and **Diana Melendez 2L** also contributed to the brief.

"I was very happy the Law Center contributed and was a part of this national project," Hoffman said, "and I applaud the hard work of our clinical students who researched and wrote about this important issue."

At issue is the immigration status of "wave-through" entries to the U.S. A wave-through entry is described as a person or group of people in a vehicle who are waved through a border and granted admission into the country.

[Click here to read the full story.](#)

# Immigration Clinic students help abused mother obtain lawful permanent resident status for her and her children



*Immigration Clinic students Karla Perez (left) and Caroline Ibrahim outside the UH Law Center.*

Under the supervision of Professor **Janet Beck**, Immigration Clinic students **Norma Johnson** and **Yi Li** helped a Moroccan mother, and her two children, win a Violence Against Women Act case and lawful permanent resident status. The abuser physically abused our client as well as subjected her and her children to psychological torment. Even after she separated from him, the abuser continued to pursue her teenage daughter. Her daughter is now in college, having been able to

receive financial aid based on her permanent resident status, and her son is attending high school.

Students in the UHLC Civil Clinic are working on this client's divorce. The Houston Area Women's Center also helped this client. A volunteer attorney was also involved in the initial stages of this case as she had referred the case to the Immigration Clinic.

## Immigration Clinic supports successful effort to give law students access to immigration court

*Courtesy of the UH Law Center*

Three appeals supported by the University of Houston Law Center Immigration Clinic were granted in spring 2016, overturning an immigration judge's decision to deny Cornell law students access to immigration court.

Clinical Associate Professor **Geoffrey A. Hoffman**, director of the Law Center's immigration clinic, filed an amicus brief along with **Sheila I. Velez Martinez**, a Clinical Assistant Professor at the University of Pittsburgh School of Law, on behalf of the Cornell students. Hoffman also wrote a **blog entry** addressing the rarity of the decision by the Board of Immigration Appeals to grant the interlocutory appeals, an appeal of a ruling by a trial court that is made before the trial has concluded.

"It should be emphasized that interlocutory appeals are rarely filed and even more rarely granted," Hoffman said. "I counseled the filing of these interlocutory appeals because in my experience practicing immigration law it is a viable (if rarely used) option. Under these circumstances, it seemed directly relevant and appropriate to righting this particular wrong."

The immigration judge did not permit law students to represent clients in removal proceedings. The students were working on cases that involved three Central American clients - a gay respondent seeking asylum in the United States, an unaccompanied child who had a pending guardianship action, and proceedings with a mother and her 10-year-old son.

In one case, the judge noted his court was "not a law school clinic," while in two others he cited a backlogged docket and difficulties with a new translation service.

[Clinic here to read the full story.](#)

## Immigration Clinic helps victims of crime and domestic violence win U-Visa Cases

In 2016, the Immigration Clinic had success with a large number of crime victim clients.

“The clinic was able to obtain approvals on several U Visa cases and to adjust the status of two young clients to that of lawful permanent resident,” said Professor **Josephine Sorgwe**, Clinical Supervising Attorney. “In addition, we were able to receive U certifications for three of our clients.”

One of the U Visa approvals we received was for a woman whose U.S. citizen daughter was the victim of sexual assault. This brave woman reported the crime to the police immediately after she discovered the abuse. She fully cooperated with law enforcement in the investigation of the crime. Now, this woman has a U Visa, a work permit, and may be eligible to adjust status in 3 years.

Another client, a Mexican national, was the victim of assault. Our client was assaulted and threatened at gun point by her then-boyfriend. In 2012, while pregnant, her boyfriend forced himself into her apartment and pointed a gun at her. The boyfriend was charged with Aggravated Assault with a Deadly Weapon, which was pled down to a misdemeanor. The man was subsequently deported from the United States. As a result of the trauma from this event, she suffered a miscarriage on the steps of her apartment complex. The clinic represented her U Certification and U Visa cases. Since then, our client and her young daughter have received approval notices for their U Visa applications.

## Clinic students help women and children in detention

A group of Immigration Clinic students and faculty saw over 100 women and children at the detention center in Dilley, Texas from July 8 to 10, 2016. All of the women were fleeing death threats, threats of rape to their children by gangs, or severe domestic violence, frequently, by gang members. Many had seen relatives killed or wounded by gangs.

Many of the women had reported these incidents to the police only to have the police do nothing to investigate. Almost all of them were from Honduras, El Salvador and Guatemala. Students from the University of Houston Graduate School of Social Work served as interpreters.

## Immigration Clinic makes a difference in the community



*Immigration Clinic students and faculty at the United We Dream Workshop.*

In 2016, the Immigration Clinic sponsored more than 40 workshops, outreaches and CLE trainings attended by more than 2,300 participants. Over 70% of attendees received assistance by the clinic faculty and students.

Immigration Clinic students and faculty closed over 320 cases last year, helping more than 650 people, including 48 victims of crime and domestic violence.



## Immigration Clinic helps teenage victim of sex trafficking

The Immigration Clinic continues to help a Guatemalan teenager who has been victim of sex trafficking. Our client is a young woman who was rescued from her trafficker when she was 15 years old. She was beaten and forced to have sexual relations with various men. She has suffered much trauma, which has caused her to have mental issues.

Through the help of various organizations, she is currently undergoing treatment. The Immigration Clinic submitted the I-765 and I-102 to her victim witness coordinator at the U.S. Department of Homeland Security's Immigration and Customs Enforcement (ICE) in the fall of 2016 and submitted her T visa application in January, 2017.

## 2016 BY THE NUMBERS

The Immigration Clinic specializes in handling applications for asylum on behalf of victims of torture and persecution, in representing immigrants who have been the victims of domestic violence, human trafficking and crime, as well as representing children and those fleeing civil war, genocide or political repression.

2,200+

Hours student attorneys in the immigration clinic worked on cases in 2016.



1,600 +

People were helped through 40+ Immigration Clinic sponsored workshops, outreaches, and CLE trainings in 2016

480

Limited English Proficiency individuals received Self Represented Assistance in 2016.

## UHLC Immigration Clinic experts field questions from UH-Downtown students

*Courtesy of the UH Law Center*



*Josephine Sorgwe, a clinical supervising attorney at the UH Law Center Immigration Clinic, left, Geoffrey A. Hoffman, Clinic Director, and UHLC Professor Michael A. Olivas, who is serving as interim president of UH-Downtown, answered questions from UH-D students about future immigration policy.*

Representatives of the University of Houston Law Center Immigration Clinic answered questions from students and administrators about what the future might hold for immigrants post-election, during a presentation in early December, 2016 at UH-Downtown.

Geoffrey A. Hoffman, director of the clinic, and Josephine Sorgwe, a clinical supervising attorney, fielded questions on Dec. 8 while UHLC Professor Michael A. Olivas, who is serving as interim president of UH-D, served as moderator.

President-elect Donald Trump initially campaigned on a pledge to deport all undocumented immigrants, but has seemingly softened his position since winning the presidency.

[Click here to read the full story.](#)

# STUDENT SPOTLIGHT



“During my first week in the Immigration Clinic, I was able to meet with clients, prepare for a hearing in immigration court, and attend the hearing with my clients for their asylum case. Right off the bat, I was learning skills from my professors in the clinic that will prepare me for a career in immigration law.”

**Karla Quetzalli Perez, 2018 J.D. Candidate**

## UHLC Prof. Hoffman: Public’s fear of terrorism is major hurdle for some asylum applicants

*Courtesy of the UH Law Center*



*Clinical Associate Professor Geoffrey Hoffman, left, and a panel of experts discussed obstacles faced by asylum applicants and ways to overcome them. Joining Hoffman were immigration attorneys, Thomas Ragland from Washington, DC, Mary Kramer from Miami, and Sui Chung, also from Miami who served as moderator.*

Geoffrey Hoffman, director of the University of Houston Law Center’s Immigration Clinic, participated in a panel discussion on February 8, 2016 about overcoming obstacles in representing those seeking asylum from countries torn by terrorist activities.

The panel’s topic, “Fighting Charges of Terrorism: Real and Wrongly-Imputed Bars to Asylum,” was part of a day-long conference on asylum in the face of evolving immigration law and refugee crises in Syria, Central America, and elsewhere.

The American Immigration Lawyers Association asylum conference held in San Antonio was designed to provide information, strategies, and tips to help defend clients against erroneous allegations of terrorist sympathies at a time of heightened fear and difficulty in clearly establishing an applicant as victim, villain, or hero.

[Click here to read the full story.](#)

# COMMUNITY SERVICE

## Immigration Clinic professors provide legal information to immigrants at the IAH Airport

Professor **Geoffrey Hoffman** and Clinical Supervising Attorneys **Rosemary Vega** and **Josephine Sorgwe** from the UHLC Immigration Clinic served as volunteer attorneys at IAH Airport. They assisted families trying to get their loved ones released from Customs and Border Protection (CBP) upon landing at the airport from all over the world. Former students of the clinic as well as other graduates of UHLC were in attendance. About 20-25 attorneys showed up to help the first day. The attorneys specialized in civil rights, criminal defense, federal courts, commercial litigators, tax attorneys and in-house counsels, among others.

Of great concern were those most immediately affected by President Trump's latest executive order: those from one of the targeted 7 countries, Syria, Iraq, Iran, Libya, Sudan, Yemen and Somalia. We heard stories of many who were turned away by the airlines at the country of origin. Many were not allowed even to board the planes due to the misinformation and confusion created by the presidential order. We answered questions and advised families who were waiting hours that their relatives would be released under a nationwide stay

order issued by a federal judge in New York. We stood ready to file a habeas in the event family members were not released or detained. The stay order protects those with a valid visa or green card from being removed. Unfortunately, the stay order we had at that moment did not guarantee the release or protect against prolonged detention but did prevent removal. We received reports that some CBP officers were not abiding by the stay order, so we were legitimately concerned at the beginning of the day. At the beginning of the day it was unclear whether green-card holders would be protected.

During the long day, we spoke with green-card holders who had been detained. They were able to get through eventually but often had to wait hours and answer questions, including an on-line "waiver" form. There were reports at other airports that some green-card holders were being asked to sign a form abandoning their lawful permanent residence. The best advice is not to sign any documents without an attorney present.

Amidst the confusion, we were repaid with kindness from strangers. The beauty of helping immigrants and people in need pro bono was evident.





# UHLC Vail workshop provides training for those helping children and families facing immigration issues

Courtesy of the UH Law Center



Dean Leonard M. Baynes welcomes the workshop audience and discusses the opportunities he received because his parents migrated to the U.S.

Attorneys and immigration specialists gathered at the University of Houston Law Center on April 8, 2016 for the annual Joseph A. Vail workshop that provided information and techniques for dealing with asylum and other issues affecting families and children facing deportation.

“The United States is a nation of immigrants,” Dean Leonard M. Baynes said in his opening remarks. “I am a child of immigrants, and like so many others I am grateful for the opportunities that the United States has afforded me and my family. I am also very proud of the fine work of the Immigration Clinic, and as a public law school, I am delighted that the Vail Workshop brings us together to discuss these thorny legal issues.”

Participants in the day-long workshop included UH Law Center Immigration Clinic Professors **Geoffrey Hoffman**, **Janet Beck**, **Josephine Sorgwe** and **Rosemary Vega**, two retired immigration judges, immigration attorneys, and a mental health expert.

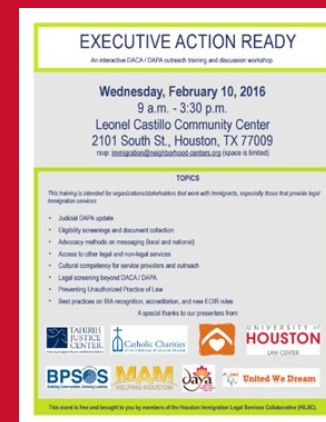
A full range of asylum related claims were discussed such as crime victim visas, the Violence Against Women Act, trafficking, and special immigrant juvenile relief.

[Click here to read the full story.](#)

[Click here to view past Joe Vail Workshops.](#)

## UHLC joins service agencies in workshop on immigration law

Courtesy of the UH Law Center



Members of the Houston Immigration Legal Services Collaborative, including the University of Houston Law Center, participated in a training and information workshop on February 10, 2016 for those who provide legal services to immigrants.

**Geoffrey Hoffman**, a clinical associate professor and director of the Immigration Clinic at the Law Center, spoke on the Supreme Court's recent grant of certiorari in the U.S. v. Texas case at the training session hosted by Neighborhood Centers. **Josephine Sorgwe**, a clinical supervising fellow working in the immigration clinic, also spoke on relief for immigrants.

Topics that were covered include: DAPA judicial update; advocacy methods/messaging (local and national); access to other legal and non-legal services; cultural competency; legal screening beyond DACA/DAPA; and preventing unauthorized practice of law.

[Click here to read the full story.](#)

# IMMIGRATION CLINIC FACULTY



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Cover Image, Fall 2016 Immigration Clinic.

From left: Professor Janet Beck, Melanie Fridgant, Gabriela Hernandez, Timothy Sullivan, Diana Melendez, Edwin Villa, Professor Rosemary Vega, Jared Young, Karla Perez, Tong Jin, Caroline Ibrahim, Maria “Sara” Roque Rosales, Rachel Levy, Professor Josephine Sorgwe, Director Geoffrey Hoffman  
Not pictured: Douglas Evans

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