

# UNIVERSITY of HOUSTON | LAW CENTER

Clinical Legal Education Program

## 2015 IMMIGRATION CLINIC NEWSLETTER



# CLINIC HAPPENINGS

## Immigration Clinic secures the release of two detained families



Professor Geoffrey A. Hoffman, Director of the UHLC Immigration Clinic, discusses a case with students Hee Jin Chang and Hannah Young. The team recently secured the release on bond of two families from the Karnes Detention Center.

Faculty and students with the University of Houston Law Center's Immigration Clinic were able to secure the release on bond of two Central American families from the Karnes County Residential Center, a federal detention facility outside San Antonio.

Professor Geoffrey A. Hoffman, director of the Immigration Clinic, supervised students Hee Jin Chang and Hannah Young and worked with Susham

Modi, an adjunct professor and clinical supervising attorney, and Veronica Bernal, a clinical fellow, to convince the immigration judge to grant the two families bonds of \$8,000 apiece.

"I am so proud of our students and faculty and their continued efforts on these Karnes cases helping immigrant families to get out on bond," Hoffman said.

### *Student Spotlight*

"One of the cases I am working on this summer in the Immigration Clinic is that of a man from Honduras seeking asylum because his job involved putting criminals behind bars. These individuals were upset about their arrests and, while incarcerated, they gave the order to have him killed. Two attempts were made on his life, one of which put him in rehabilitation for an entire year and forced him and his family to move around. A year later, he began to receive death threats again. This client commented that he was happy in Honduras and that he liked his job but did not want to put his family in danger. His case makes me reflect on the various difficult choices people must make to risk everything and leave their home countries for an uncertain future. His asylum interview is still pending." - Norma Johnson, Summer 2015



## Immigration Clinic sets precedent in South Texas case



UHLC students Ariana Hamilton, left, and Marah Friesen review documents with Professor Janet Beck that the three drafted for a precedent-setting immigration case.

Fresh on the heels of securing the release on bond of two Central American families from an immigration detention center in South Texas, members of the University of Houston Law Center's Immigration Clinic were able to get another family released – and in the process, set an important procedural precedent.

The Department of Homeland Security was denying credible fear interviews (CFI) to detained children whose mothers had been denied their reasonable fear interviews (RFI).

The Clinic was able to secure a CFI for their five-year-old client. The asylum officer found that our young client had a credible fear of persecution if she were to return to Guatemala. Professor Beck was then able to get the

asylum officer to reconsider the mother's negative RFI determination.

"This was a case of first impression. This particular situation hadn't been dealt with before. It sets a precedent as far as how (Department of Homeland Security) officers are going to behave in the future when they encounter this particular fact pattern," Friesen said.

Students Ariana Hamilton and Marah Friesen successfully argued a bond motion before the Immigration Judge and also secured a change of venue for the child and mother.

Beck said she is extremely proud of her students, and that through their combined efforts they were able to establish a precedent that will allow other children in that situation to receive credible fear interviews.

### *Student Spotlight*

"I worked on two DACA Renewal cases that were both approved this semester. In one of the cases, the client needed a work authorization to keep his job. The ideal time to apply for a DACA renewal is 120-150 days before the expiration date. By the time the client contacted the clinic there were less than 120 days left to complete the forms and submit the application, so time was of the essence. I contacted the client the same day and prepared the DACA Renewal and work authorization forms before the client came to the clinic. Thus I was able to submit the client's applications after only meeting the client once. I am very glad our client received his DACA renewal and work authorization before expiration of his previous documents!" - Li Yi, Spring 2015



# Clinic students help detained women prepare for asylum interviews



Professor Janet Beck, left, and UH law students Anjali Baxi, Beatrice Adeoye, Roger Taveras, Norma Johnson, and Camille Yoder (not pictured) assisted immigrant women from Honduras, Guatemala and El Salvador during a recent trip to the South Texas Family Residential Center in Dilley, Texas.

Five students in the Immigration Clinic at the University of Houston Law Center traveled to a family detention center southwest of San Antonio to prepare women for their upcoming appearances before immigration officials.

The students, led by visiting Assistant Clinical Professor Janet Beck, interviewed 69 women at the South Texas Family Residential (Detention) Center in Dilley the week-end of July 10-12, 2015.

The students prepped the women for their interviews with USCIS asylum officers and for hearings before the immigration judge on bond settings and reviews of negative decisions by asylum officers.

Most of the detained immigrants who received positive decisions granted by USCIS asylum officers will be released pursuant to a recent announcement by the U.S. Department of Homeland Security, Beck said; the others will remain in custody until their trials.

The women, who have been detained with their young children at Dilley, fled Honduras, Guatemala, and El Salvador because of death threats by gangs and/or physical abuse by their partners.

The student visit was coordinated by CARA, a coalition of non-profit agencies that provides pro-bono legal representation for the women detained in the Dilley center.

## Student Spotlight

"It is the daily work of a student attorney that really makes taking the Clinics such a great experience. I've learned more through the cases assigned to me in the clinic than I would have through the standard classroom lecture format. One of my cases in the Immigration Clinic was to file a motion for change of venue for a mother and infant son who were detained at the border when they attempted to enter the United States. What I learned from this case is to be accurate, pay attention to details, carefully proofread, verify the validity of authority, and to familiarize myself with the court's rules. All of these can affect the outcome of your case." - Elijah King, Spring 2015



# Professor Hoffman defends student lawyers' access to immigration courts



UHLC Immigration Clinic spring 2015 class. Back row, from left: Laura Fierro, Armin Salek, Ariana Hamilton, Hee Jin Chang, Elijah King, and Zsofia Rasko. Front row, from left: Prof. Geoffrey Hoffman, Prof. Susham Modi, Prof. Janet Beck, Clinical Supervising Fellow Veronica Bernal, Natasha Bahri, Marah Friesen, Hannah Young, Kaitlyn Bailey, Diana Dominguez, and Yan Xu.

University of Houston Law Center Clinical Associate Professor Geoffrey A. Hoffman filed an amicus brief on behalf of Cornell Law School students who were denied the right to represent their clients in court by an immigration judge.

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.

Hoffman, director of the Law Center’s Immigration Clinic, co-authored the brief with Sheila I. Velez Martinez, a clinical assistant professor at the University of Pittsburgh School of Law.

They argued that in one order: “The immigration judge did not provide any reasoning whatsoever to support the court’s denial of law student appearance, instead entering

a form order with no written decision with an explanation.”

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.

As a result of the judge’s order, three interlocutory appeals were filed in support of Cornell’s Farmworker Legal Assistance Clinic and its Lesbian, Gay, Bisexual and Transgender Advocacy Clinic.

The amicus brief was signed by approximately 40 law school professors and clinic directors.

## *In the Spotlight*

Immigration Clinic Director Geoffrey Hoffman, left, and Clinical Supervising Fellow Veronica Bernal spoke about the status of immigration on Latina Voices. To view the interview, visit <http://houstontx.swagit.com/play/03042015-772>.



# STRONG LEADERSHIP

## Tahirih Justice Center honors UHLC's immigration clinic pros as 'Goodfellas'



Geoffrey A. Hoffman

University of Houston Law Center Professor Geoffrey A. Hoffman and Clinical Supervising Attorney/Adjunct Professor Susham Modi were honored for their work in the school's immigration clinic by the Tahirih Justice Center at its annual Gala.

The Justice Center is the only national, multi-city organization providing a broad range of direct legal services, policy advocacy, and training and education to protect immigrant women and girls fleeing gender-based violence.

Hoffman's quote read: "As director at the UHLC Immigration Clinic I have a deep appreciation of Tahirih and the great work they do in the fight against gender violence; we look forward to continuing to work closely with Tahirih in the years to come."

Modi's quote read: "Tahirih personifies the statement that we treat each other like family, as we all do come from the same place, and shows its commitment to others by helping women who are often in dire positions of being abused or severely harmed if returned abroad."

## Women's center honors Janet Beck of UHLC Immigration Clinic



Janet Beck

The University of Houston Women and Gender Resource Center (WGRC) has named Assistant Clinical Professor Janet B. Beck of the Law Center's Immigration Clinic as the winner of the 2015 WGRC Distinguished Faculty Scholar Award in the clinical faculty category.

The award recognizes Beck's efforts on behalf of women in need and her commitment to gender equality.

"I am deeply honored to receive this award," said Beck, a supervising attorney at the clinic. "I have represented women in immigration law throughout my career, but the UHLC Immigration Clinic has given me the unique opportunity to supervise law students in their representation of women, from all over the world, against whom horrible atrocities have been committed solely on account of their gender."

## Houstonia magazine names Susham Modi 'Top Lawyer' in immigration law



Susham Modi

Susham Modi, an adjunct professor and supervising attorney in the immigration clinic at the University of Houston Law Center, has been named a "Top Lawyer" in the field of immigration law by Houstonia magazine for the second consecutive year.

"It is not just me who has received this honor," said Modi. "I have a fantastic

team of colleagues and students here in the clinic who deserve a lot of credit in helping me achieve this recognition."

Modi teaches upper-level Immigration Law courses and supervises the clinic's student lawyers in handling various complex immigration cases. He also has a private immigration law practice.

# COMMUNITY GIVING

## Immigration Clinic awarded grants to develop its outreach programs

The Immigration Clinic at the University of Houston Law Center received \$15,000 in grants from the American Immigration Lawyers Association and the State Bar of Texas Immigration and Nationality Law Section to expand and enhance its pro-bono services.

The \$7,500 grant from the Texas Chapter of AILA will supplement one staff salary and, in doing so, will expand the Immigration Clinic's outreach program and allow the clinic to more fully serve the needs of the immigrant community.

The State Bar of Texas Immigration and Nationality Law Section awarded a \$7,5000 grant for interpreters and

experts to provide psychological evaluations and country condition affidavits for indigent clients and for UH law students to travel to detention centers in Karnes and Dilley .

Though the Immigration Clinic is part of the UH Law Center, the salaries of its three staff attorneys/fellows are funded through grants. The clinic fellow who will benefit from AILA's grant currently handles crime victim outreaches and can now help organize additional outreaches in the areas of unaccompanied alien children and complex asylum cases involving DACA clients.

## Immigration Clinic hosts national seminar on humanitarian relief issues

The University of Houston Law Center Immigration Clinic co-sponsored a national seminar in April, 2015 that focused on criminal and public safety issues that may block humanitarian relief for undocumented immigrants.

"This was a timely event on important and current topics designed to inform the immigration bar about select forms of humanitarian relief and criminal bars," said Professor Geoffrey Hoffman, director of the UHLC Immigration Clinic, who was also a speaker at the event. "We are happy to co-host this event with the National Immigration Project, which is well-known for its advocacy and leadership among immigration attorneys."

The program included an overview of select forms of humanitarian immigration relief, with emphasis on identifying and analyzing criminal offenses and public safety issues that may trigger a bar to such forms of relief.

### By the Numbers



**1,600+**

People were helped through **38** Immigration Clinic sponsored workshops, outreaches, and CLE trainings in 2015



**54 %**

Of individuals received specific guidance during Clinic Community Outreaches



**260**

Limited English Proficiency individuals received Self Represented Assistance in 2015

## Immigration attorneys learn how to become media savvy in training seminar



Belle Woods, AILA communications manager, offers tips to immigration attorneys on how to prepare for media interviews.

Immigration attorneys gathered at the University of Houston Law Center in December 15, 2015 to learn how to deal effectively with news and social media and how to improve their advocacy skills in support of legislative reform.

The AILA Immigration Advocacy and Media Training, a three-hour, two-part seminar, was sponsored by the UH Law Center Immigration Clinic, the American Immigration Lawyers Association, and the Ruby L. Powers law firm.

Belle Woods, AILA communications manager at the national office in Washington, D.C., offered advice on how to prepare for reaching out to the media: “Identify the right immigration reporter, respond in a timely manner, be confident because this is your stuff and you know it more than they do, and be cautious with off the record.”

Woods gave an example in which media coverage played a major role in resolving a problem: Volunteers were not allowed to enter the migrant detention center in Dilley, Texas, to interview detainees, she said. After the story was reported in the media, the facility relented and allowed volunteers in.

Ellie Rutledge Silver, AILA new media associate, discussed the different social media platforms, including Facebook, Twitter, LinkedIn, and Google Plus.

“Social media is important,” said Silver. “It can help build a positive reputation, because you can become an advocate by educating and learning from others, and you can get exposure, which gives you or your organization free marketing.”

The seminar was invaluable for Leslie Crow, a UHLC alumna who is starting a refugee support group at Neighborhood Centers Inc., a non-profit, community service agency. “What I learned here today is going to help me promote my support group, free marketing; everything I learned here today will help me grow my group.”

The speakers also mentioned the resources that are available to AILA members through AILA.org and reminded the attorneys not to hesitate to reach out for help. Attorneys also had the opportunity to practice on-camera interviews and learned how to become a better advocate with tips on how to deal with members of Congress.

# IN THE NEWS

## ABA cites work of UHLC immigration clinic in new practice advisory

The immigration clinic at the University of Houston Law Center is cited three times in an ABA advisory regarding how attorneys can best serve immigrant clients who have limited mental capacity.

The ABA Commission on Immigration's practice advisory, "Representing Detained Immigration Respondents of Diminished Capacity: Ethical Challenges and Best Practices," refers to a previous advisory authored by the UHLC immigration clinic in conjunction with the Legal Action Center of the American Immigration Counsel. AIC is a national non-profit, non-partisan, or-

ganization based in Washington, D.C.

The clinic was cited in regard to legal strategies in handling issues where clients may not have the legal capacity to competently represent themselves.

"I am very proud of the clinic's recognition in this prestigious advisory from the ABA," said Geoffrey A. Hoffman, director of the immigration clinic. "It is a testament to the work of our clinic's students and faculty in working with mentally incompetent respondents in immigration court proceedings."

### Student Spotlight

"I would say that being part of the Immigration Clinic presented me with the opportunity to learn about immigration law and procedures. I was able to assist two clients with Adjustment of Status (AOS) applications before USCIS. My first AOS was based on the Violence Against Women Act (VAWA) and successfully granted our client and her two children legal permanent residency. The other was a Special Immigrant Juveniles (SIJ) AOS case for a young girl who came to the United States in August, 2014. A month later, the clinic filed a Motion to Terminate Proceedings that was granted in January, 2015. After spring break, we received an interview notice for her AOS application. We prepared our client and accompanied her to the interview with the immigration officer that resulted in the approval of our client's I-360. I am very satisfied with the work that I did in the Clinic and, moreover, to see the faces of the clients after they received their approval notices." - Laura Fierro, Spring 2015



## CLINIC CONTACT INFORMATION

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Cover Image: UHLC Immigration Clinic fall 2015 class. Back row, from left: Anjali Baxi, Nicole Su, Douglas Evans, Maria Rariq, Beatrice Adeoye, Marah Friesen, David Robledo, Michelle Aldrich, Grace An, and Soo Choi. Front row, from left: Prof. Geoffrey Hoffman, Clinical Supervising Fellow Veronica Bernal, Dominique Villarreal, Melissa MacNeil, Prof. Janet Beck, Paola Midence, and Prof. Susham Modi.

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