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Summer 2013
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Unsung Hero: Office of Legal Access Programs

by Ken Mayeaux

Among the unsung heroes of immigration-related pro bono are the organizations that facilitate pro bono services by identifying and referring clients for pro bono representation. This quarter we feature the [Office of Legal Access Programs \(OLAP\)](#) within the U.S. Justice Department's Executive Office for Immigration Review.

Under the direction of [EOIR's](#) Deputy Director, Ana M. Kocur, the Office of Legal Access Programs works to improve access to legal information and counseling and to increase representation for immigrants appearing before the Immigration Courts and [Board of Immigration Appeals \(BIA\)](#). OLAP does this through initiatives that facilitate access to information and create new incentives for attorneys

"Since 2003, EOIR has invested nearly \$31 million operating the program, which reaches approximately 60,000 detained immigrants per year at 25 detention centers around the country."

and law students to accept pro bono cases. Through its [Legal Orientation Program](#) and its [BIA Pro Bono Project](#), EOIR's Office of Legal Access Programs facilitates the placement of hundreds of pro bono cases annually.

OLAP's Legal Orientation Program

In 2003, OLAP began its Legal Orientation Program (LOP) in an effort to improve judicial efficiency and at the same time to provide increased access to legal information and pro bono

representation for detained immigrants facing removal proceedings. Under this program, local nonprofit legal service organizations provide group and individual legal orientations to detained immigrants who will be appearing for removal proceedings in immigration court. For immigrants with potential relief from removal, the LOP nonprofit organization may assist with referral to pro bono counsel, who are often AILA members.

Since 2003, EOIR has invested nearly \$31 million operating the program, which reaches approximately 60,000 detained immigrants per year at 25 detention centers around the country. Over the last five fiscal years, over 3,500 immigrants have been referred for pro bono representation through the LOP's participating nonprofit organizations.

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by Diana Fakhrai

Deferred Action for Childhood Arrivals (DACA) has been beneficial for many undocumented immigrants. For some, such as those who didn't even know were undocumented until they applied to college or for a job, it has presented new opportunities. However, some of my clients have been hesitant to apply for DACA or have not found it to be a solution.

As a sophomore at Harvard, Gloria Montiel, the star of undocumented filmmaker Marcos Nieve's film [Almost American](#), approached her resident advisor to ask if there was any way that Harvard could help with her immigration status. The answer: "Forget this conversation came up because we are supposed to report any crime that is committed." Gloria says, "There was a clear disconnect. The admissions office had accepted me, had made it a point to accept others like me, but even then, arguably the best university in the nation was unable to properly assist us, and there was still the perception that we were somehow doing something wrong. Because of my status, my

DACA Is Not Enough, Says DREAMer

enrollment in graduate school was delayed and I missed important deadlines for scholarships. Like other undocumented students throughout the country, I was not eligible for loans."

Gloria's lack of status has also caused her emotional pain. When her cousin passed away in Texas, she was unable to be with her family because she could not afford the travel expenses. "Two weeks later, my grandmother passed away in Mexico, and I was unable to travel there because of my status," says Gloria. However, Gloria does not want pity. "I have not been a victim of my circumstances. I have made the best out of my situation and have given my heart and soul to use the skills I have learned in my community, to help students carve out a path to success. I spent the year in between college and graduate school teaching a group of students in a summer academy that I co-created. I don't take things for granted. I am grateful for the opportunity that I received to go to Harvard; I know that not everyone could say that, regardless of immigration status."

As for DACA, Gloria has mixed feelings. "When I learned about DACA, I was very confused. I was excited, but somewhat hesitant and even a bit scared. I was thankful that something had finally come to protect many of my friends and give them the opportunities that they had fought for tirelessly. At the same time, I felt that it was not a solution to the issue of having millions of people without status.

"DACA does not address the fundamental issue of a broken immigration system, of a person's humanity, nor does it take into account the contributions that people like me have already made and will continue to make throughout their life in the United States."

DACA does not address the fundamental issue of a broken immigration system, of a person's humanity, nor does it take into account the contributions that people like me have already made and will continue to make throughout their life in the United States. We are all productive members of society who have given back just as much or more than we have used the opportunities available. I also understand, however, that this small victory is to be celebrated and to be taken advantage of while it still exists. It has been difficult for me to come to terms with the benefits versus the implications that this type of policy has on the humanity of people, but it is definitely a step in the right direction."

Gloria is currently studying for her Ph.D. at Claremont Graduate University. She is hoping for an immigration reform that honors the undocumented immigrants who contribute to society and who are Americans at heart.

Diana G. Fakhrai is a member of the AILA National Pro Bono Services Committee and Co-Chair of the AILA SoCal Chapter New Members Division.

WATCH! See Gloria's struggle in Marco Nieve's documentary, "Almost American", Parts [One](#), [Two](#), and [Three](#).

OLAP from pg.1 >>

OLAP also facilitates pro bono representation through its [Model Hearing Program](#) by providing training to attorneys interested in representing detained immigrants in immigration court. Since July 2011, OLAP has conducted more than 60 model hearing program training sessions at immigration courts around the country. The trainings consist of small-scale “mock” trial sessions held in the immigration court and presented by volunteer immigration judges. These sessions, presented in cooperation with partnering bar associations or nonprofit legal

service providers, provide “hands-on” immigration court training to small groups of attorneys or law students interested in providing pro bono representation to clients in immigration court.

OLAP’s BIA Pro Bono Project

In January 2001, OLAP began the BIA Pro Bono Project in collaboration with nonprofit organizations, including the [Catholic Legal Immigration Network, Inc.](#), the [Capital Area Immigrants’ Rights Coalition](#), the [National Immigration Project of the National](#)

[Lawyers Guild](#), and the American Immigration Law Foundation (now known as the [American Immigration Council](#)). Since then, participating organizations have screened over 7,800 cases for referral and approximately 850 detained immigration clients have been represented by pro bono lawyers through the program.

On the Horizon for OLAP

Under a new policy announced in April 2013, OLAP will oversee the provision of appointed counsel to unrepresented immigration detainees with serious

mental disorders or conditions that render them incompetent to represent themselves in immigration proceedings. And though there are several twists and turns yet before we see comprehensive immigration reform emerge from the U.S. Congress, current legislation contemplates the expansion of the LOP program as well as government-paid legal representation for the mentally ill, unaccompanied children and other vulnerable populations.

Ken Mayeaux is the Chair of the AILA National Pro Bono Services Committee.

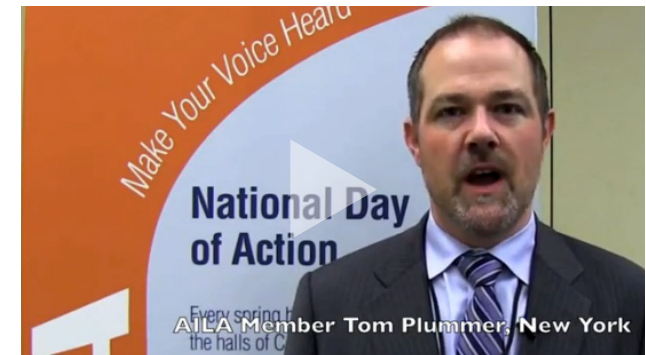
Hope for Reform Fuels AILA’s Largest NDA

by Anu Joshi

With the Senate immigration reform bill on the horizon, AILA’s 2013 National Day of Action (NDA) was the largest ever. The momentum for passing comprehensive immigration reform began with the presidential election in November 2012, continued with the release of the Gang of Eight’s principles at the end of January and gained speed on April 11 when over 375 AILA members and their clients took to the halls of Congress to offer their expertise, case examples and passionate advocacy in support of reform. Now, more than ever, members of Congress in both the House and the Senate were eager to speak directly with their constituents and AILA

members. This year saw a record number of lobby visits (400-plus!) with the elected officials themselves.

In anticipation of the 2013 National Day of Action, AILA created two documents to make the case for common-sense immigration reform. Our [2013 Resource Guide on Immigration](#) lays out the basic issues any reform must address and provides background information for those entering the debate. [Reforming Immigration for the 21st Century](#) outlines AILA’s priorities and principles on the major issues defining immigration reform. Armed with these resources and their own case examples, AILA members made the case for reducing the backlogs in the legal immigration system, maintaining the ability for U.S. citizens

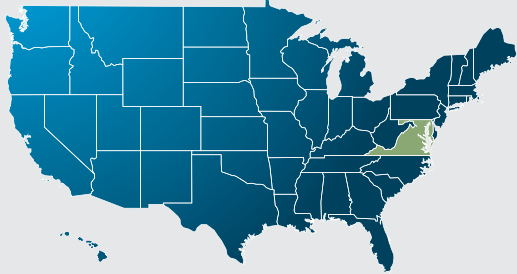


WATCH! AILA members [talk](#) about why they traveled to D.C. to participate in this year’s NDA.

to petition for their siblings, giving discretion to immigration judges deciding individual cases, helping businesses hire the employees they need, and more.

Anu Joshi is AILA’s Grassroots Advocacy Associate.

CHAPTER HAPPENINGS: WASHINGTON, D.C.



CITIZENSHIP DAY: The AILA-DC Chapter partnered with local community-based organizations to hold Citizenship Day workshops at locations throughout Washington D.C., Maryland and Virginia. Because the DC Chapter covers a wide geographic region and encompasses a diverse population, eight workshops were held on April 20 and April 27, 2013 in locations ranging from Baltimore, Maryland to Richmond, Virginia. The AILA-DC Chapter again worked with long-time partners Central American Resource Center (CARECEN), Carlos Rosario International Public Charter School, and CASA de Maryland to host the Citizenship Day workshops. This year the DC Chapter also reached out to some new groups, including the Ethiopian Community Center and Jesus House, a church with a mostly Nigerian congregation.

In an effort to reach a broad spectrum of the immigrant population, flyers were translated into Amharic, French, and Korean, in addition to English and Spanish. Ms. Gloria Williams-Brevard, public engagement officer for the USCIS Washington District Office, noted how appreciative a number of community groups were when they found Citizenship Day information printed in their native languages.

This year AILA-DC partner Catholic Charities Esperanza Center is celebrating its 50th anniversary. So in addition to the legal clinic, Citizenship Day in Baltimore included a community fair with displays and performances by various immigrant groups. AILA-DC community partner FIRN also extended its celebration of the naturalization process by hosting, in partnership with USCIS, a special naturalization ceremony the month following Citizenship Day.

Overall, AILA-DC volunteers helped over 150 applicants with their applications for naturalization during Citizenship Day 2013.

D.C. Chapter Offers Pro Bono Pledge Incentives

by Dree Collopy

AILA members have a long history of providing generous and committed pro bono service to indigent clients and underserved communities, whether through direct legal representation, policy advocacy, monetary contributions, or service on boards and committees that endeavor to support the pro bono community. Yet, given our broken immigration system and the pervasive problem of unauthorized practice of law, the need for pro bono assistance continues to grow.

In an effort to inspire, support, and recognize the pro bono service of its members, [AILA's Practice & Professionalism Center](#) has asked members to publicly commit to pro bono service by taking the [AILA Member Pro Bono Pledge](#). The Pledge is a promise by AILA members to their community to contribute a minimum number of pro bono hours during the calendar year. Any member who reports their completion of the Pledge prior to December 31st in that calendar year will receive special acknowledgment according to the category of recognition they have achieved: those who pledged and completed 50 hours will be recognized as Pro Bono Guardians, 100 hours—Pro Bono Benefactors, 150+ hours—Pro Bono Champions, or 150+ direct service hours for nonprofit legal service providers—Pro Bono VIPs.

By taking the Pledge, AILA members inspire and support one another and receive well-deserved



Take the Pro Bono Pledge!

acknowledgement of their pro bono service. Still, many AILA members who complete numerous pro bono hours every year remain unaware of the Pledge. In an effort to raise awareness and incentivize members to take the Pledge, the AILA DC Chapter surprised three of its members in February by awarding them with \$500 scholarships toward the registration fee for AILA's Annual Conference in San Francisco this June. The three scholarship recipients were randomly chosen from among those AILA DC Chapter members who signed up for and satisfied the requirements of the 2012 AILA Pro Bono Pledge.

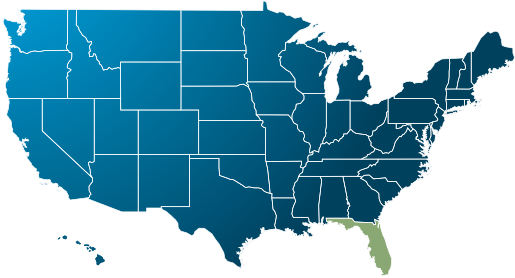
In recognition and appreciation of its members, the DC Chapter also publicized in its Chapter Newsletter a full list of chapter members who participated in and completed the 2012 Pledge. The DC Chapter plans to award more prizes next year to those participating in the [AILA Member 2013 Pro Bono Pledge](#). AILA encourages other chapters to follow the DC Chapter's example to raise awareness and incentivize members to [take the Pro Bono Pledge](#).

Dree Collopy is the Pro Bono Liaison for AILA's DC Chapter and Chair of the AILA National Refugee and Asylum Liaison Committee.



AILA Chapters Share Their Citizenship Day Successes

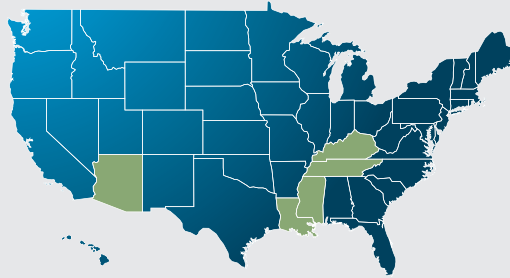
CHAPTER HAPPENINGS: CENTRAL FLORIDA



CITIZENSHIP DAY: This year, the Central Florida Chapter hosted Citizenship Day events in Orlando, Tampa, and Jacksonville. In all, chapter members, local pro bono attorneys and volunteer law students assisted 200 residents with applying for U.S. citizenship.

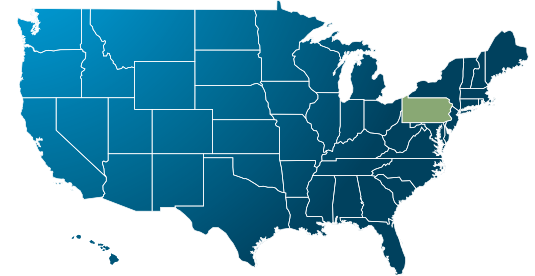
In Orlando and Tampa, about 50 volunteers assisted roughly 50 residents with applying for U.S. citizenship. Chapter members Camila Pachon and Dina Castillo-Ward coordinated Orlando's Citizenship Day in collaboration with Orange County Legal Aid and other community organizations. Chapter member John Dubrule collaborated with Gulf Coast Legal Services and other community organizations to host Tampa's Citizenship Day. In Jacksonville, over 100 volunteers assisted roughly 100 residents with applying for U.S. citizenship. Kara Roberts coordinated Jacksonville's Citizenship Day in collaboration with Jacksonville Area Legal Aid and other community organizations. Unlike Orlando and Tampa, where Chapter members participate in similar citizenship-related events hosted by other non-profit organizations throughout the year, Citizenship Day only occurs once a year in Jacksonville and therefore tends to serve more applicants in one day than the other locations. In all, the Central Florida Chapter's Citizenship Day efforts were a great success!

CHAPTER HAPPENINGS: MIDSOUTH



CITIZENSHIP DAY: "All the stars were in complete alignment for a wonderful series of Citizenship Day events across the entire Midsouth spectrum, encompassing all of Arizona, Kentucky, Louisiana, Mississippi, and Tennessee," says Midsouth Pro Bono Committee Chair, Bob Lenard. The city of Baton Rouge held its second Citizenship Day event, which was again hosted by Midsouth Chapter member Corina Salazar. Not far away, in Alexandria, Louisiana, Midsouth Chapter member Graham Bateman also ran a workshop. Several hundred miles north, just outside of Nashville, Midsouth Chapter member Katja Hedding hosted two separate Citizenship Day workshops, one before and one after April 20, 2013. Cori Hash in Louisville, Kentucky, is planning a workshop for later this year. Midsouth Chapter members know Cori's experience will be as rewarding and enjoyable as everyone else's and wish her every success. All four Midsouth Chapter members were extremely pleased with the materials furnished by AILA National, and they were definitely grateful for the unstinting and tireless support of Michelle Singleton, AILA's Practice and Professionalism Center Coordinator, in particular. All praised their volunteers, communities, and support staff, and each said she would be sincerely honored to host future Citizenship Day events – or as Katja Hedding says, "I love this stuff!"

CHAPTER HAPPENINGS: PHILADELPHIA



CITIZENSHIP DAY: AILA's Philadelphia Chapter hosted its most successful Citizenship Day to date, matching over 90% of participants with their own attorney, all of whom submitted G-28s and committed to providing representation through the interview stage. A key to the success was the development of partnerships and co-sponsorships with the following community and advocacy groups, libraries and bar associations, each of whom did amazing outreach: La Comunidad Hispana, Downtown Library, Keystone Opportunity Center with the Lansdale Public Library, Multicultural Community Family Services of Upper Darby, ACLU of Pennsylvania, Asian Pacific American Bar Association of PA, Catholic Charities, Christian Legal Clinics, Ceiba, District 1199C Training & Upgrading Fund, Esperanza Immigration Legal Services, HIAS Pennsylvania, Nationalities Service Center, Pennsylvania Immigration and Citizenship Coalition, and The Welcoming Center for New Pennsylvanians. Ya es Hora, a project of the National Association of Latino Elected and Appointed Officials (NALEO), and AILA assisted with press and materials.

67 volunteers, including attorneys and law students, assisted 130 prospective applicants at information sessions, where they were pre-screened for legal and English-language eligibility at five different sites. Applicants hailed from several countries, including Bangladesh, China, Congo, Germany, Great Britain, Honduras, India, Indonesia, Iraq, Jamaica, Korea, Liberia, Mexico, Niger, Nigeria, Sri Lanka, Thailand, and Vietnam. 72 eligible applicants returned for a second visit during which they completed their applications; 68 of those applications were filed with a volunteer attorney's G-28. Many thanks to the Chapter members Judith Bernstein-Baker, Valentine Brown, Lisa Felix, Phyllis Forman and Disna Weerasingh for organizing the events.

VOICES OF PRO BONO

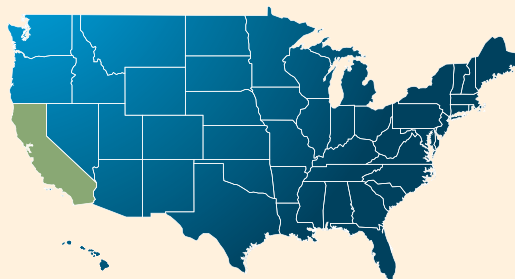
"Pro bono service is important to me because it gives me the opportunity to come in contact with individuals who desperately need legal advice for their complex immigration matter. Having someone explain the complexity of U.S. immigration law and **help them navigate the system empowers these individuals to begin formulating a positive plan for their future.** Without the pro bono legal services offered by ILAP and its volunteer attorneys, these individuals would struggle through the process on their own." -SS

WHY DO YOU PRO BONO? Share your story with us! E-mail us at probono@aila.org.

"It is through all of my asylum clients' strength that my legal practice is given a sense of purpose. I truly believe that, as an attorney, it is my duty to give back to the community and help those in need. **It is a small step toward increasing access to justice within the United States.** By undertaking pro bono asylum work, we attorneys are able to effectuate a positive change, one person at a time." -JA



CHAPTER HAPPENINGS: SOUTHERN CALIFORNIA



CITIZENSHIP DAY: The Southern California Chapter of the American Immigration Lawyers Association (SOCAL AILA), again working closely with the National Association of Latino Elected and Appointed Officials (NALEO), held its annual National Day of Citizenship on Saturday, May 4, 2013 at the Faithful Central Bible Church in Inglewood, California. In addition to NALEO, the Los Angeles Legal Aid Society, Coalition for the Humane Immigrant Rights of Los Angeles, the Asian Pacific American Legal Center, and other community-based organizations co-hosted the event.

During the event, Citizenship Day volunteers from SOCAL AILA, NALEO and the other community-based organizations assisted 150 applicants with the preparation and review of their naturalization applications and provided an overview of the naturalization process, beginning with what to expect following submission of their applications to U.S. Citizenship and Immigration Services (USCIS). Although the organizers had anticipated a larger turnout, the smaller turnout ended up benefitting participants, as they were able to proceed more quickly through each of the various stations.

Several SOCAL AILA members volunteered at the event, including Linda Nakamura, who summed up the spirit of the day. When asked why she decided to volunteer, she replied, "I love helping people!" Some of the volunteers and participants had the opportunity to speak with Phyllis A. Coven, District Director of USCIS District 23, who stopped by the event.

In addition to the annual National Day of Citizenship, SOCAL AILA has worked closely with NALEO and other community-based organizations for many years and provides attorney volunteers for naturalization workshops on a near-monthly basis. Given the large geographical region covered by the Chapter, these monthly events have provided volunteer opportunities to members not just in Los Angeles, but in Orange and San Bernardino Counties as well.

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