

August 30, 2017

Dear Dan Ruben:

My goals at the beginning of my fellowship were to immerse myself back in Spanish and diversify my legal skills by learning more about labor law. Previously, I have had internships/positions in which I gained experience in criminal law, family law, and immigration law. Overall, I met my goals. For the most part, the Pittsburgh office of Friends of Farmworkers, Inc. took on protection from removal cases this summer. I loved working on those cases because it caused me to refer back to my criminal law experiences and my immigration experiences. We helped a lot of people that would otherwise have not been represented. A lot of the clients we helped didn't have any sense of why they were in deportation proceedings or what their rights were. It felt really good to be able to explain to them that they actually did have options and in a lot of cases some form of relief or defense. Other cases I really enjoyed working on were the T-visa cases which opened my eyes to immigration specific labor law issues. Labor trafficking is something I hadn't really understood until my fellowship.

In the beginning of my summer, there was a case about non-compete clauses which I helped to gain some publicity. In that case, Nepali refugee home-healthcare workers were coerced into signing non-compete agreements and were then sued when they left their jobs because they were treated poorly. There's a state senator looking to pass legislation to prevent employers from using non-compete clauses for low-income workers and our case examples might help to push that along. Without organizations like Friends of Farmworkers, these already vulnerable people would have just continued to be taken advantage of. Hopefully we can also help in the passing of legislations that adds protection where it is so desperately needed.

As far as my Spanish goal goes, most of our clients spoke Spanish, so that gave me plenty of opportunities to further develop my Spanish skills. One of my favorite cases I worked on was for an unaccompanied minor that was picked up by ICE when his place of employment was raided. We looked into possible child labor violations/t-visa eligibility. Visiting him in prison broke my heart. He came to the United States after being encouraged to do so by his parents so he could help support their family. He found himself working in the mushroom industry and doing just that up until his workplace was raided. I particularly liked exploring

suppression issues in his case. ICE officials are notorious for crossing lines and performing illegal searches and seizures.

I reached an epiphany this summer while meeting with clients who were in a serious labor trafficking situation. They had to sneak out in order to meet with us and feared being reprimanded upon return. Speaking with them and realizing how employers can so easily take advantage of their workers strengthened my passion for working with the immigrant population and advocating for those who are vulnerable and underrepresented.

Honestly I could share so many incredible client stories, but overall the impact they each had on me was the same. They all inspired me to work harder and learn more so that maybe one day their voices could be heard without just having to be the few lucky enough to have a pro bono organization represent them. There are so many others in trafficking situations or suffering from labor violations who have no resources and simply don't know that they have any rights under the law. Know your rights presentations that I helped with really further opened my eyes to the concerns of community members who attended. Since the administration change things have gotten really scary for the immigrant community. I am so grateful for the experiences I had this summer and know that this is only the beginning for me.

Thank you,

Amber McGee

Duquesne University School of Law 2018



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EQUAL JUSTICE AMERICA Summer Fellowship 2017 Mentor Feedback

Amber McGee worked on 12 cases under my supervision this summer, working under deadline, with competing priorities, often in Spanish, and often independently. She consistently exhibited intellectual curiosity, open-mindedness, flexibility, dedication to our clients, strong work ethic, good legal reasoning, commendable writing skills, reliability, and promptness. Amber took initiative without supervision to accomplish tasks that would move a case forward, or make her supervisor's job easier.

Three cases in particular merit mention. In the first – the first assignment Amber received upon arriving at FOF – I gave Amber a complex research assignment on a criminal removal (deportation proceedings for a former refugee) issue. Amber absorbed a lot of material quickly and fully, on one of the most contentious and still-developing issues in immigration law: the categorical approach and immigration consequences of criminal convictions. Amber wrote several memos analyzing a state statute in the light of recent administrative, circuit court, and Supreme Court precedents. She discovered recent federal district court decisions on point, which were previously unknown to me. She met with me and our client in York County Prison, and also wrote our first draft of a motion to terminate the removal proceedings against our client. Amber entered her appearance as a law student legal representative with the York Immigration Court, and we received a favorable decision on the case on July 12, 2017. Our client is now back in Erie, PA, complying with his probation requirements, and working part-time at a community non-profit for the first time in 2 years. Amber also initiated communication with the Erie County court so that we could get in touch with the client's probation officer.

The second case to which Amber dedicated significant time was a labor trafficking case from central Pennsylvania. When a potential case came to us through the National Human Trafficking Resource Center Hotline, Amber joined me and 2 other FOF staff for a late-night initial consultation with potential clients, who had to sneak away from their housing on the employer's property for an initial consultation. Amber prepared documents and initial case files for the 4 men. Amber was not expecting to do a 1-on-1 interview on her own at that first meeting, but since there were 4 potential clients and limited time, she was asked to sit down with one of them after a group discussion to help explain their labor rights and immigration options. Amber completed the intake entirely in Spanish, and gathered all the necessary information for a first meeting, just as her 3 full-time staff co-workers did. These facts were essential to developing an action plan for new clients in a crisis situation, and one week later Amber prepared another set of representation documents for them so that they could be represented by us after interacting with ICE officers who removed them from their employment situation. Visiting a remote, rural setting for a late-night client meeting under tight time constraints was probably not in the original job description, but Amber was fully engaged with this intake process and provided needed support to get these cases started, and get the workers to a safe location.

Finally, Amber put in many hours of face-to-face work and research for our client J., a legal permanent resident and disabled agricultural worker from Erie. When Amber met J. he was transitioning from long-term residency in a rehab center to his own apartment, and he still has many needs in terms of getting his green card renewed, getting an SSD application filed and approved, getting his medical needs taken care of, and basically supporting him as he transitions back to life on his own. J. walks with a cane, is functionally illiterate, and speaks Spanish only. Amber provided a lot of support on this case, including analyzing J.'s past employment and eligibility for SSD/SSI, explaining the SSD application process to her mentor attorney (who was entirely new to the topic), obtaining and analyzing a 200-page medical record from the rehab center, and preparing notes for an interview at the SSA in office during the last week of her fellowship. At the interview itself Amber was invaluable, following the entire discussion in Spanish and pointing out some crucial facts and dates in the medical record, which she was most familiar with. By this time in the fellowship I was counting on Amber to be prepared even beyond my specific assignments on the case, and ready to expect the unexpected, and she

definitely came through. Her client work with J. was also commendable. It's clear that Amber has a real heart for this kind of work, and her unassuming, open manner enables her to build trust with clients from a wide range of backgrounds.

In addition to direct casework with individual clients, Amber assisted with intake, maintained our case files, provided excellent communication within our office and also with outside organizations, drafted scripts for some of our community engagement projects, and took voluntary steps to expand her own legal background. One of the things I admire most about Amber is her drive to take on new challenges and learn new things. She attended weekly brown bag lunches at the ACLU office in Pittsburgh to hear about the casework of other interns and attorneys doing public service work in town. She drove to York, PA and back in a day in order to observe a merits hearing for an asylum applicant from Haiti, because she wanted to learn more about asylum and see what a full hearing looks like. She also took advantage of a CLE invitation from the Washington County (PA) bar association, and became a member. Amber was required to travel a lot, and also to work independently when her mentor attorney was out of the office, and I could always count on her to keep her work on schedule and represent our organization well.

Sincerely,

Matthew J. Lamberti

Managing Attorney