



# EQUAL JUSTICE AMERICA

## Summer 2022 EJA Fellow:



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**Update 1:** My first two weeks at the Rutgers Immigrant Rights Clinic have been an amazing learning experience. Absorbing the intricacies of immigration law and the implications of statutory guidelines has been very revealing of how difficult it can be for immigrants to navigate a hostile bureaucratic system. One of my first tasks was presenting a discussion of the recent Supreme Court case *Patel v. Garland* to our managing attorneys, which was a deep dive into the ways in which case law determines how agency guidelines are interpreted.

I'm working in the Detention and Deportation Defense Initiative, which is a universal representation program. Often, our clients need more than just legal support. Part of my time has been spent calling various shelter programs to find stable housing and medical care for a client. I've worked on two different asylum cases, including developing country conditions, and researching international laws to understand citizenship in other countries. This week, I had the chance to take the lead on an interview with a family about their asylum claims. While the stories I've heard are sobering and distressing, I have loved the opportunity to help asylum seekers shape their stories and prepare for court.

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**Update 2:** The last couple of weeks have been fast paced and fascinating. I've had the opportunity to work on bond appeals and hearings for two different detained clients. I've had to do a lot of research on parole conditions and mental health access after release, and what has been most striking is how little people working in criminal rehabilitation and in the immigration system connect to one another; not because they don't want to, but because the systems are siloed.

I've also continued to work on several asylum cases, conducting interviews and developing declarations, as well as gathering information for reports about country conditions. I've learned a lot about interviewing, especially when I have to conduct multiple interviews to cover all of the needed information, and I've learned a lot about working with translators. I've also had the chance to sit in on intakes with potential clients and also be part of a call to an incarcerated client. Most importantly, I worked collaboratively with my intern team to write a brief



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for a bond hearing which takes place tomorrow, and if successful, will allow a client to be reunited with his family. I'm grateful to have worked on different forms of immigration relief and to be learning from the amazing attorneys at the Rutgers Immigrant Rights Clinic.

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**Update 3:** I have learned a ton the past couple of weeks. The case I am most excited about is a habeas petition we are preparing for a client who has been detained for several years. The project requires a lot of attention to detail to understand the long history of the case, reading old motions and remands, and understanding the case law of due process complaints. I'm also working on a complaint for the way a client has been treated in ICE detention, which involves looking through months of medical records and notes from calls with the attorney to put together a cohesive narrative of their experience in detention. I also completed an appeal for bond that will be filed this week, which helped me hone my legal research and writing skills.

Alongside those cases, I'm still working on a couple of asylum cases. In one case, I am preparing the initial application for asylum, and in another I am preparing the clients for their individual hearing. This means preparing their declarations, researching asylum case law to write their briefs, and discussing the country conditions with potential expert witnesses to determine the best way to bolster their case. I am so thrilled to be working on so many different forms of immigration law.

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**Update 4:** I can't believe the summer is almost over! This internship has been fast-paced and challenging. Because we are winding down, my work has begun to focus more on wrapping up two cases that still require a lot of writing and research. One is for an asylum case I've been working on all summer, and their individual hearing is coming up in a little over a month, and so we are working hard to put everything together before the deadline. I worked on the brief, which involved a lot of case law research to make the best argument for our clients, and we are working on supplemental evidence from expert witnesses as well.

The second case is the client who has been detained in ICE custody for several years. In addition to a complaint letter about their recent treatment, I am working on their habeas petition. It's been a fascinating deep dive into a legal concept I didn't know much about, and it's involved being very familiar with the long history of their case and their various past appeals proceedings. I've been grateful to be able to take the reins on a complicated project, and I am learning so much.

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**Update 5:** I learned so much this summer. When I started my internship, I was looking forward to developing direct client services skills and learning more broadly about immigration law. After a couple of months, I know I still have so much more to learn, but I am so grateful to have had this opportunity.

One of the challenges of working on affidavits with my asylum-seeking clients was working with a translator. I had to learn to be proactive and ask the translator to explain any confusion or hesitation the client might be



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having. Because I worked with several different translators, I realized that they bring their own varied skill set to the table, and that navigating that dynamic was as important as the dynamic between me and my clients.

I loved working with my asylum cases, but I was also excited to have the chance to work on bond appeals and a habeas petition. Part of the challenge of these cases was learning the long procedural history of each client and being able to articulate the failures of due process at each stage. Not only that, but for some of my clients, they had been detained for so long that some case law had changed and could be utilized differently in their favor. Taking on these drafts required a lot of organization and research into shifting case law and developing concise and persuasive arguments around it. It also required a lot of creative legal thinking, as much of the current case law works against our clients. Understanding these intricacies and how to navigate them was a unique challenge.

The greatest challenge of the summer was simply realizing that the deportation machine is violent and very effective, and even the best legal arguments and preparation by dedicated lawyers will not change the fact that the Department of Homeland Security wins the vast majority of the cases and that many immigration judges are anti-immigrant. One of the supervising attorneys at Rutgers DDDI spoke about the idea of “redefining your wins,” meaning that even though appeals for release are often denied, we “win” by providing competent representation and ensuring procedural justice. I do think that clients are benefited by representation, and that the knowledge that someone is fighting for their rights likely does a great deal of good, but it does not result in material gains. While changes to the immigration system and deportation machine will require massive shifts at the policy level, clients still need direct services, and I had to learn to balance my frustration with a broken system with what a particular client needed at that moment.

All told, I do not think I could have had a better or more instructive summer. I loved that my attorneys were available to give advice and answer questions at any moment, but they also gave me a lot of autonomy to navigate challenges on my own and to tackle big projects I expressed interest in. Going forward as a lawyer, I think I’ve gained the confidence to work through new problems by applying knowledge I already have, and by seeking out experts to guide me when I am unsure.