



EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



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Update 1: I am happy to share that I started my internship with the Florence Immigrant and Refugee Rights Project (FIRRP) in Tucson, Arizona a few weeks ago as a legal intern! More specifically, I am working on the Direct Representation Team with the Adult Program. FIRRP provides free legal and social services to detained children and adults under threat of deportation in Arizona. As a legal intern, I support the Direct Representation Team in providing legal representation to detained adults in various stages of immigration proceedings. FIRRP is also a national leader in serving people in detention who suffer serious mental health conditions under the *Franco-Gonzalez v. Holder* Ninth Circuit District Court decision (2013) and the subsequent National Qualified Representative Program (NQR) – I look forward to supporting the Direct Representation Team in serving *Franco-Gonzalez* clients this summer as well.

The past few weeks at FIRRP have been filled with thorough training to learn about the law and various services FIRRP offers to clients: Direct Representation clients seek forms of relief that many people have heard of before, such as asylum, and other lesser-known forms of relief, such as cancellation of removal for Legal Permanent Residents and relief under the Convention Against Torture. I am also learning how representatives advocate for clients to be released from detention, so that they may pursue their case with less limitations. Yesterday, I saw FIRRP staff put this knowledge to work while traveling with them to a detention center, where I observed FIRRP's Legal Orientation Program (LOP). FIRRP attorneys and legal assistants regularly visit detained adults in-person to educate them on the immigration law system, their possible legal options, and conduct one-on-one intakes to see if they qualify for additional FIRRP services. It was my first time going into a detention center, and it was an eye-opening experience. I was grateful to observe an attorney and legal assistant conducting intakes with several people, who were then able to receive information about the law, in their own language, that they may not have been able to receive if FIRRP hadn't provided the LOP that week.

Access to adequate legal representation is a significant problem in the immigration system, and one that I believe FIRRP attempts to address in many ways. I look forward to continuing to work with my new colleagues in the Adult Program in Tucson this summer, who have already been so welcoming.



EQUAL JUSTICE AMERICA

Update 2: More news from Tucson, Arizona! The past two weeks have been full of legal writing: I am currently working with my supervisor at the Florence Immigrant and Refugee Rights Project to write a brief for a client served by the Direct Representation Team, which provides full legal representation to detained immigrants (as opposed to supporting people representing themselves). Our client survived horrific domestic violence and has since fled their home country to seek safety in the United States. The state of the law today frustrates me; it should not be this difficult for domestic violence survivors to seek protection under the law. Lawyers and pro se Respondents must spend time fitting their experiences into convoluted “particular social groups” as required, such as “married women in Guatemala unable to leave their relationship” (Matter of A-R-C-G, 26 I&N Dec. 388 (BIA 2014)) rather than simply “Guatemalan women.” This is difficult for lawyers, who must take a broad range of deeply personal traumatic experiences, put them into specific cultural contexts, and present them to an immigration judge, explaining why it meets increasingly complicated legal standards that merit immigration relief. The obstacles are even higher for detained pro se Respondents who have no prior exposure to U.S. immigration law and must understand what is required for them to make a solid case in front of an adjudicator when everything is on the line. Even if pro se Respondents do understand, accessing the resources required to document, research, craft, and deliver adequate legal and factual arguments is an uphill battle from inside the detention center.

In my opinion, gender-related violence claims should not be subjected to a stricter or more complicated standard than political, religious, racial, or nationality-related violence claims. A solution to this issue would be to add “gender” as an enumerated protected ground under the Immigration and Nationality Act. Overall, I am grateful that staff at FIRRP work to diligently represent clients while also pushing the law forward with innovative legal arguments. Using this brief as a tool to do all this has been a growing experience for me, and I am excited that I could build off my experiences in Georgetown University Law Center’s asylum law clinic (CALs) to draft it.

I will keep editing throughout the next few weeks, but I’ll also be visiting immigration court in the upcoming days to observe the detained docket, which I am looking forward to as well. That’s all from me for now! I hope everyone else is having a rewarding summer so far.

Update 3: Through my internship at the Florence Immigrant and Refugee Rights Project, I observed master calendar hearings in the detained docket in the Florence Immigration Court. I was back in Florence, Arizona, because the court itself is located within the barbed wire of the detention center. Observing the Florence Immigration Court emphasized how dehumanizing removal proceedings can be for detained immigrants. Master calendar hearings are often immigrants’ first interaction with the Court. To start, a guard brought a group of men in jumpsuits to the courtroom and lined them up. The judge read them their rights and then called them individually to discuss their case. Twice I witnessed the wrong person being brought into court where they sat through proceedings until the guards realized and switched them out for the correct person.

The vast majority of Respondents in removal proceedings are unrepresented. There is a blatant information



EQUAL JUSTICE AMERICA

imbalance in immigration court when the immigrant is unrepresented. Oftentimes, pro se detained immigrants do not have access to the resources represented or released Respondents have during their proceedings. Respondents may not know their legal options unless organizations like the Florence Project can speak to them before their hearing and provide them with pro se information packets or represent them. During the hearing, the men did not even have a pen and paper to take notes. Meanwhile, the immigration judge and government attorney have access to technology and a wealth of experience to pull from to make legal arguments.

This is just one example of many – my colleagues and I also observed translation issues and pushback against some men who wished to continue fighting their case. Above all, I'll leave with this very simple observation: the judge and guards called each man up by his court docket number before his name. If we are to support and uphold the dignity of all people, we must do so especially in systems that look to strip it from them. Providing immigrants with access to a lawyer, if they'd like one, can ensure that people have access to information that allows them to make informed decisions about their case. The Florence Project is one of the organizations working tirelessly to expand access to representation throughout Arizona, and I hope to continue this work after graduating from Georgetown University Law Center next year.

Update 4: It feels like the summer is quickly wrapping up, but my work at the Florence Immigrant and Refugee Rights Project is still going strong! This summer, I am an intern on the Direct Representation Team, which is a part of the Adult Program. My team provides full-service legal representation for detained adults in Arizona who are faced with a variety of immigration cases. We receive cases at different stages and take them all the way to the client's individual hearing in Immigration Court. Right now, I am working on asylum, withholding of removal, and cancellation of removal cases. All these types of relief could change each client's life in a positive way, and it is immensely helpful to them that they have representation. As a member of their legal team, I research and collect evidence to support their claims, take notes during their individual hearings to help develop legal strategy, and help draft declarations to cite in their legal brief. If a client does not have a team to do this, they would have to do this work from within the confines of detention, if they are able to at all. The freedom the legal team has to do this work because we are not detained, combined with the collective legal know-how we possess, significantly improves the client's chances of winning their case. Many detainees struggle to copy papers, make phone calls to their family and friends, and send and receive mail – not to mention conducting legal research and drafting legal arguments, often in a language they do not speak. Last week was the first time I met with one of our clients in detention by myself. I am working closely with her to draft her written testimony. This is important because she can share her entire story with the Immigration Court before her oral testimony through a written declaration. Speaking with her is a great experience and I'm grateful I can meet with her often to draft the declaration and support the Florence Project legal team as we prepare a strong case in front of the Immigration Court. I look forward to continuing this work over the next few weeks until my internship ends!

Update 5: This is my final EJA Update, and my final week as an intern at the Florence Immigrant and Refugee Rights Project. I am immensely grateful to have spent the last ten weeks learning from the amazing attorneys, social workers, and staff at the Florence Project. I am also thankful Equal Justice America provided me with the



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platform to raise awareness about the importance of civil legal aid organizations, such as the Florence Project, which provides important pro bono services to people facing deportation who cannot afford legal services. For my last update, I'd like to do a quick review of my summer: This summer, I...

- (1) drafted multiple motions, briefs, and memoranda of law for removal cases for detained adult clients;
- (2) met regularly with detained adult clients to discuss legal matters and collect evidence to support their legal claims;
- (3) researched unique legal issues in immigration law;
- (4) observed the Florence Project's Detained Action Response Team as they conducted Legal Orientation Programs;
- (5) attended Immigration Court proceedings to observe the detained docket; and
- (6) spoke with many experienced attorneys who are experts in their fields.

Overall, it was a very successful internship. I learned so much that I will take with me into my third year at Georgetown University Law Center and well into my legal career. I continue to advocate for the importance of closing the representation gap: so many immigrants would benefit from having a lawyer to represent them, but there are simply not enough lawyers to do so. The Florence Project recognizes this and tries to bridge that gap through its Detention Action Representation Team (DART), which teaches detainees their legal rights and answers general legal questions each week in each of the three detention centers the Florence Project serves. DART also supports detained immigrants who represent themselves in their immigration cases by providing group workshops on common forms of legal relief like asylum and helping people gather and translate documents and prepare legal filings. Remember, immigrants in deportation proceedings are not afforded a lawyer by the United States Government like people are in criminal proceedings. The Florence Project responds to this need through their Direct Representation Team, which provides full pro bono legal representation to some clients. Furthermore, the integrated social services model helps to provide trauma-informed services, especially with NQRP clients who have been determined to be incompetent by the Immigration Court or Department of Homeland Security.

Ultimately, civil legal aid is essential to upholding equitable legal systems – I am grateful to see how the Florence Project works to provide legal education and representation to adults and children in immigration detention in Arizona. Although I will miss Tucson, I look forward to continuing growing the skills I'll use as a public-interest immigration lawyer Washington, D.C. during 3L!

If you are able and feel so inclined, consider supporting Equal Justice America, which provides funding for students and fellows pursuing work in public interest civil legal services.