



# EQUAL JUSTICE AMERICA

## SUMMER 2024

## EJA FELLOWSHIP RECIPIENT



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### Update 1:

The past three weeks at CHIRLA have been incredibly eye-opening and remarkably busy. I've delved into a domestic violence-based asylum case, gaining a deep understanding of the case law surrounding specific PSGs. My work on a T-Visa case has provided valuable insights into how a victim's interactions with law enforcement can strengthen their case, along with which agencies may be most suitable for each client. Additionally, I've been involved in two SIJS (Special Immigrant Juveniles) cases that are headed to family court, where I've learned about the intricacies of the Hague Convention and how to meet its requirements.

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### Update 2:

Before my departure to Mexico during this time, I successfully completed a declaration of Due Diligence for a family SIJS case. This process taught me about the heightened scrutiny in family SIJS cases, particularly regarding parental rights, where we are required to notify a parent even if the child has a restraining order against them. Additionally, I coordinated outreach efforts to secure a psychological evaluation for a client who could not afford the typical costs. I also finalized another SIJS filing and am currently awaiting a court date.

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### Update 3:

I have significantly deepened my understanding of SIJ petitions and T-Visas during this period. My work has enabled me to grasp the complex implications of family SIJ applications, particularly in cases involving parents who threaten extradition of the child. I've also developed a comprehensive understanding of the various elements and scenarios associated with T-Visas. Additionally, I have gained practical experience by drafting motions to dismiss based on the vacatur of CIMTs.

This growth in knowledge and understanding has been invaluable, and I am profoundly grateful for the opportunity to engage with these processes on a deeper level.



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## **Update 4:**

During this period, I have gained extensive insights into the workings of the BIA court and the strategies that tend to yield more favorable outcomes. My research has delved into the nuances of prosecutorial discretion and its potential impact on individuals' procedural rights in court. I've also explored the criteria the BIA considers reasonable for exceptions to late filings of I-589 applications. Additionally, I have conducted in-depth research on U and T Visa cases, uncovering complexities that exceeded my initial expectations.

This journey has significantly deepened my understanding of the challenges immigrants face in removal proceedings and the innovative legal arguments that may help navigate the hurdles imposed by DHS and the BIA. Overall, this experience has been transformative, enriching my knowledge and enhancing my ability to advocate effectively in these critical cases.

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## **Update 5:**

As my time with CHIRLA comes to an end, I leave with immense gratitude and admiration for the removal defense team and their extraordinary work and advocacy on behalf of the immigrant community seeking relief from removal. During my time here, I immersed myself in various areas, including U-Visas (Victim of Crime Visas), T-Visas (Trafficking Victim Visas), Asylum, and SIJS (Special Immigrant Juvenile Status).

I had the opportunity to witness the asylum process from the initial application to assisting with writing declarations, securing psychological evaluations, and drafting briefs to mitigate issues related to convictions and late filings due to incarceration or detention. The attorneys have allowed me to return in September and see an individual hearing where I would be able to witness the outcome of our work. My respect and compassion for asylum seekers have only deepened, and I aspire to be someone they can turn to for representation in the future. Additionally, I explored potential U-Visa and T-Visa avenues for our clients, focusing on the nuances of satisfying each element and exploring possibilities for clients and their derivative family members to avoid family separation. My understanding of prosecutorial discretion has also grown as I've seen how DHS utilizes this tool and its varying impacts on our clients. For some, it has been a blessing as it closes their removal case, allowing them to pursue other options, while for others, who are determined to have their day in court, it has been a source of frustration. My research into creative arguments to appeal decisions involving prosecutorial closure highlighted the challenges within the immigration court system and its dependency on the current administration.

I leave CHIRLA with a deep desire for progressive change within the immigration court system, including the BIA, and a commitment to becoming an even stronger advocate for my community. I'm grateful for the support network and guidance I've gained here, which I will carry forward with great appreciation.

Upward and onward!