



Summer 2021 EJA Fellow Journal



Name: **Lisa Ledvora**
Law School: **Georgetown University Law Center**
Organization: **Beyond Legal Aid (Chicago, IL)**

Update 1: May Day March in D.C.

#EJAFellowUpdate

I have been selected as an Equal Justice America Summer 2021 Fellow! Please consider donating to my EJA Fellows Fundraiser: <https://www.classy.org/fundraiser/3225197>. EJA supports law students around the country who are committed to helping low-income clients navigate the U.S. legal system. I will spend my summer assisting detained and non-detained immigrants in immigration proceedings as a legal intern with Beyond Legal Aid - formerly CALA in Chicago, under the supervision of Deputy Director of Legal Services Bindhu Vijayan.

Of course I didn't wait until the start of my internship at BEYOND Legal Aid to stand in solidarity with immigrant communities fighting for justice in the United States.



On Saturday, May 1, 2021, I participated in the May Day Immigrant Justice March in Washington, DC. Immigrant activists and allies gathered at Black Lives Matter Plaza to rally in support of immigrant communities and legal reform. We then marched towards the U.S. Capitol to demand justice for millions of immigrants who have been left behind for years.



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After President Biden's campaign promises and his first 100 days in office, he still has not secured administrative and legislative protections for immigrants. As the pandemic wreaks havoc on families on both sides of the border, we called for President Biden and Congress to deliver immigration reform, to stop deportations, to create a pathway to citizenship for DACAmented individuals, TPS holders, and all 11 million undocumented folks.*



May 1 is International Workers Day — el día del trabajador. Immigrants have been working on the frontlines of the COVID-19 pandemic for over a year. Their contributions to society have proven essential: from picking our food and driving our transportation to caring for us in hospitals. The immigrant community has been doing the essential work that runs this country. On May 1, hundreds/thousands of immigrants, activists, and allies marched through D.C. to call for accountability from our representatives to deliver on the promises they made.



Immigrants are essential, not sacrificial.

*DACA = Deferred Action for Childhood Arrivals; TPS = Temporary Protected Status



Update 2: Community Lawyering Introduction

I've have now been an intern at Beyond Legal Aid - formerly CALA for a whole month. Wow, how time flies! As I work on the immigration law projects, participate in staff meetings, and communicate with wonderful interns and staff members, I am *beyond* grateful for this opportunity to develop my legal skills with Beyond this summer.

One of my summer assignments involves working with a non-citizen community member who will soon be submitting an I-601A Application for Provisional Unlawful Presence Waiver. Under section 212 (a)(9)(B) of the Immigration and Nationality Act, this community member must request a provisional waiver of the unlawful presence grounds of inadmissibility before leaving the United States to appear at a U.S. Embassy or Consulate for his immigrant visa interview. Without approval of this waiver, he would leave the country to attend his visa interview, and then he would be barred from re-entering the United States for ten years, which would bring extreme hardship to his family in the United States. I could independently research the "extreme hardship" standard, explain why this community member qualifies for an I-601A waiver in a written brief, and prepare his application for submission. But that's not how Beyond functions.

Because of [Beyond's innovative community-directed approach to providing legal aid](#), my internship supervisor reminds me to be introspective of how I approach client communication and decision-making. During my first call with the community member, did I drive the conversation, or did I empower him to take control of his case? Did I facilitate an interactive discussion between equals, or did I uphold traditional attorney-client power dynamics? Am I creatively using storytelling tools to allow the community member's unique experiences and voice to shine in our written material, or am I writing from a law student perspective? These are some of the questions I have been encouraged to ask myself throughout this pursuit of justice for the community member and my journey toward community lawyering skills development.

As an Equal Justice America summer fellow, I am providing free immigration legal services to marginalized communities and individuals. Moreover, I am working to close the justice gap and redistribute the law's power into the hands of the people most affected by injustices. I am thankful for the financial support of EJA that is allowing me to focus on legal equity building in the Chicagoland area and my own professional growth this summer. Please consider donating to my EJA fundraiser: <https://www.classy.org/fundraiser/3225197>. With your support, many more budding public interest law advocates can continue these efforts. Please let me know if you have any questions about EJA, Beyond Legal Aid, community lawyering, my internship experiences, etc. Thank you!

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Update 3: The Fate of DACA and a Pathway to Citizenship for DREAMers

On July 16, 2021, U.S. District Court Judge Andrew Hanen, in the Southern District of Texas, [ordered](#) the Deferred Action for Childhood Arrivals (DACA)* program to be partially ended nationally. Since Judge Hanen held that the DACA policy is illegal, the government [will not grant any new, first-time](#) DACA requests or accompanying requests for employment authorization, effective immediately. However, renewal DACA requests will continue to be processed according to [existing policy](#).

As [explained](#) by United We Dream (UWD),

- If you are a current DACA recipient, "you are still protected and will be able to continue renewing for now."
- If you are DACA-eligible but never applied, "DHS* can still accept your application but will NOT be able to process it."
- If you have already or will be applying for DACA renewal, "your renewal should continue [being processed] as normal."
- Current DACA recipients can continue to apply for permission to travel outside the United States through the same [Advance Parole process](#).
- Congress [can and should](#) establish a pathway to citizenship for all the millions of undocumented people in the United States!

Si desea obtener más información sobre DACA en español, haga clic [aquí](#), [aquí](#), o [aquí](#).

Who are DREAMers?

Undocumented young people in the United States are known as DREAMers because of the Development, Relief and Education for Alien Minors ([DREAM](#)) Act, a bipartisan bill that Congress failed to pass several times during President Obama's terms in office. Support the largest immigrant youth-led network in the country and the movement to empower young undocumented leaders, build community, and win concrete changes in immigration policy by donating to United We Dream [here](#).

How does the DACA case relate to my summer internship at [Beyond Legal Aid](#)?

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Since the beginning of my internship, I have been working with my supervisor and one of Beyond's community partner organizations, [Centro de Trabajadores Unidos](#) (United Workers' Center), in support of a community member's DACA application. This community member--who I'll call him Daniel here though that is not his real name--has been living in the United States since the early 2000s. He previously applied for DACA but was denied because USCIS* falsely believed that Daniel was affiliated with a criminal gang, mainly due to irrelevant and [unreliable information](#) provided by the Chicago Police Department's [overly expansive and racially discriminatory](#) gang [database](#) and gang [maps](#).



[The use of racially discriminatory practices by CPD* and other state actors/agencies is a whole other story that I will not get into here. #[DefundCPD](#) #[EraseTheDatabase](#) #DefundThePolice #AbolishThePolice]

After the July 16 decision in Texas, I spoke with my Beyond supervisor about the consequences for our DACA client. My supervisor notes that although our client will not be able to receive the employment authorization benefit associated with DACA approval, we will still submit the DACA application because the government *usually* does not deport immigrants in removal (aka deportation) proceedings while their deferred action* cases/applications are pending. So, Daniel can still receive temporary, discretionary "relief" from removal even though it is unlikely that he will ever be approved for DACA or employment authorization. ***This recent DACA development is one reason why Congress, with the support of the Biden administration, really needs to get going on passing legislation that would provide a pathway to citizenship for DACA recipients, DACA-eligible non-citizens, DREAMers, and all other undocumented immigrants living in the United States.***

What were Biden's campaign promises?

President Biden promised to protect Dreamers and their families during his campaign. His [campaign website specifically asserts](#), "Dreamers and their parents should have a roadmap to citizenship through legislative immigration reform. But in the meantime, Biden will remove the uncertainty for Dreamers by reinstating the DACA program, and he will explore all legal options to protect their families from inhumane separation..."

Biden also committed to working with Congress to pass legislation that "creates a roadmap to citizenship for the nearly 11 million people who have been living in and strengthening our country for years."

#HereToStay #HomeIsHere #WeAreHome #PathwayToCitizenship #CitizenshipForAll
#Citizenship4All #PathwayToCitizenshipNow #ImmigrantsAreEssential #WeAreEssential

Here are five more major immigration promises President Biden has yet to keep:

1. Reunite separated migrant families
2. End ICE detention of migrant families
3. Increase the limit on refugees** allowed to resettle in the United States
4. Stop the construction of the border wall
5. End family separation and hold the Trump administration accountable for separating migrant families

***Terminology:**

- DACA = Deferred Action for Childhood Arrivals / Acción Diferida para los Llegados en la Infancia
- DHS = Department of Homeland Security
- USCIS = United States Citizenship and Immigration Services
- DREAM Act = Development, Relief and Education for Alien Minors Act



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- CPD = Chicago Police Department
- [Deferred action](#) temporarily prevents DHS from deporting a non-citizen "as an act of prosecutorial discretion. For purposes of future inadmissibility based upon unlawful presence, an individual whose case has been deferred is not considered to be unlawfully present during the period in which deferred action is in effect. An individual who has received deferred action is authorized by DHS to be present in the United States, and is therefore considered by DHS to be lawfully present during the period deferred action is in effect. However, deferred action does not confer lawful status upon an individual, nor does it excuse any previous or subsequent periods of unlawful presence. Under existing regulations, an individual whose case has been deferred is eligible to receive employment authorization for the period of deferred action, provided he or she can demonstrate 'an economic necessity for employment.' DHS can terminate or renew deferred action at any time, at the agency's discretion."

**Although President Biden promised to allow more refugees and asylum seekers to enter the country, during Vice President Harris's first trip abroad since taking office, [she told Guatemalans](#) thinking of traveling to the United States, "Do not come," even though entering the United States to seek asylum is completely legal in U.S. and international law. But that's a whole other story.

Top 5 Things You Need To Know About THE TEXAS CASE ON DACA

A judge in Texas has just ordered the DACA program to be partially ended. This ruling comes after our victory from the New York Federal court last year reinstating DACA in full. The Texas ruling goes into effect now.

- 1 What does the ruling mean?**
It means that Haven has sided with Republicans and has partially ended the DACA program. While new applications will no longer be approved, renewals will continue to move forward. The ruling goes into effect immediately.
- 2 What happens to DACA recipients & DACA eligible youth?**
 - A) If you have DACA right now, you are still protected and will be able to continue renewing for now.**
 - B) If you are eligible for DACA but never applied: DHS can still accept your application but will NOT be able to process it.**
 - C) Unless your Advance Parole application was already approved as of today, Advance Parole is closed for DACA recipients.**
 - D) If your application for renewal is already being processed, your renewal should continue as normal.**
 - E) If your first-time application has not been approved as of today, DHS will NOT approve your request. Only initial applications approved as of today will be processed.**
- 3 We are in this together!**
We are here for you and have your back. We were here before DACA and we are here to stay no matter what happens. Part of keeping our movement strong is you giving yourself the care you need in critical times like this. To get Undocu-health resources, text "UNHEALTH" to 877-877.
- 4 The Biden-Harris Administration must take action & provide permanent protections NOW!**
Biden has been in office for almost 6 months, and yet our community continues to be under constant attack. Today's ruling is a reminder that our community needs permanent protections NOW!
- 5 Democrats in Congress can deliver citizenship for millions of undocumented people NOW!**
Biden and Democrats in Congress must ensure a pathway to citizenship stays in the reconciliation package before the August recess. The package must protect undocumented people, including DACA recipients, TPS holders, Farmworkers, and Essential Workers. Text "PATHWAY" to 877-877 to demand the Senate take action RIGHT NOW!

Text DACACALL to 877877 to stay updated!

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[Please consider donating to my EJA fundraiser.](#) With your support, many more budding public interest law advocates can continue these efforts. Please let me know if you have any questions about EJA, immigration law, Beyond Legal Aid, [community lawyering](#), my internship experiences, the [Georgetown University Law Center](#) public interest community, etc. Thank you!



Update 4: Summers End, Support for Community Members Continues

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I'm approaching the end of my internship with [Beyond Legal Aid](#). Working with Beyond staff members and fellow interns this summer has been a meaningful experience despite the virtual environment. I applied my legal and client communication skills to real situations, researched a variety of immigration law issues that were new to me, and became engaged in community-directed cases and community empowerment projects. I bonded with law students who are also pursuing public interest immigration law careers and learned about the post-grad fellowship application process from current and past fellows. I also gained firsthand experience with how organizations and their leaders respond to internal policy disagreements, resource capacity issues, and staff transitions. As I return to [Georgetown University Law Center](#) for my **last** year of classes, I will certainly miss my Beyond internship responsibilities and the organization's camaraderie, values, and goals.

Thank you for a wonderful summer learning experience, Beyond, and thank you for the financial support, [Equal Justice America](#)!

I don't have any photos of my internship work because it was all conducted remotely on my laptop, but I do have photos of some of the things I've been doing this summer during non-work hours:



[Served as a legal observer](#) with NLG



Celebrated Juneteenth with [ONE DC](#)



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Watched a [DC United](#) game



Hiked and backpacked in [New River Gorge National Park and Preserve](#)



Played in a [DC Fray kickball league](#)



Showed my mom around Washington, DC for a weekend



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Saw the Chicago Cubs beat the Washington Nationals on [July 31](#)



Attended a You Lie the Fourth (July 4) teach-in and fundraiser for [Line 3 water protectors in Minnesota](#), organized by [Sunrise Movement DC](#)

“Nobody’s free until everybody's free” (Fannie Lou Hamer).

“When we talk about colonialism and imperialism, we are talking in the present tense.”

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