

## ***Pro Bono Opportunities for Representing Asylum Seekers***

Asylum is a form of immigration relief for non-citizens who are in the United States and fear returning to their home country because they have been persecuted or are afraid of future persecution on account of their race, religion, nationality, membership in a particular social group or political opinion. Common asylum claims include:

- Fears of gender or family violence
- Death threats for having resisted a gang or cartel
- Violence related to an individual's sexual orientation or gender identity
- Imprisonment and torture in response to anti-government activities

NIJC's Asylum Project provides free legal representation through volunteer attorneys for children, adults, and families seeking asylum in the United States. NIJC screens all cases extensively to ensure that only those with the fewest resources who are legally eligible for asylum are referred for *pro bono* representation to the attorneys and firms who generously donate their time and expertise.

NIJC's *Pro Bono* Projects provide in-depth training to attorneys and continue to provide technical assistance and case support as necessary throughout the life of each case. Attorneys who accept NIJC cases can be assured that they will have ample support and resources to facilitate a successful outcome.

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### **TIME AND RESOURCES NEEDED**

#### **Expected Number of Hours:**

*Due to the current adjudication backlog, the number of hours spent on asylum preparation can often be spread out over many months or year - however detained cases are completed within two to four months.*

- 40-100 hours:** Asylum office affirmative asylum applications (where the applicant is not in immigration court proceedings) are presented in a non-adversarial setting. If the Asylum Office does not grant asylum, it will refer the client to the immigration court for de novo review of her case.
- 100+ hours:** Immigration court defensive asylum applications (for asylum seekers who are referred to the immigration court and applicants who are placed in immigration court removal proceedings prior to applying for asylum) are presented in an adversarial proceeding before a judge.

#### **Resources Involved:**

- NIJC *pro bono* attorneys are expected to attend an in-person asylum training before or after taking on a case.
- Most of NIJC's clients speak languages other than English and will require an interpreter for case preparation. NIJC will discuss interpreter options with *pro bono* attorneys, but it is the attorney/firm/corporation's responsibility to pay for interpretation costs if a volunteer cannot be found.
- To produce a comprehensive application, attorneys must prepare a detailed client affidavit, supporting documentation, country condition research, and a legal memorandum or brief.
- An attorney who files an affirmative asylum application on behalf of a client will also represent the client in a non-adversarial interview before the Chicago Asylum Office.
- An attorney who files a defensive asylum application on behalf of a client will work to prepare the client for trial, locate experts and other witnesses, and develop comprehensive legal arguments for presentation before an immigration judge.

## TYPES OF ASYLUM OPPORTUNITIES

- **Non-detained Adult, Child, and Family Asylum Seekers**: This is the most common type of asylum case available. There is always a significant need for representation of non-detained asylum seekers. NIJC's non-detained asylum clients typically reside in Illinois, Indiana, and Wisconsin, but will travel to Chicago for case preparation. **For more information about non-detained asylum cases, please contact Anna Sears at 312.660.1307 or [ansears@heartlandalliance.org](mailto:ansears@heartlandalliance.org).**
  - **Detained Asylum Seekers**: Because Immigration & Customs Enforcement (ICE) detains immigrants at government expense, detained asylum cases are adjudicated more quickly than non-detained cases. The entire duration of a detained asylum case is typically two to three months before the immigration court and an additional four to six months if there is an appeal. Although these individuals are often detained at county jails hours away from Chicago, *pro bono* attorneys will be able to conduct telephonic meetings with them in lieu of meeting in person. **For more information about detained asylum cases, please contact Jesse Johnson at 312.660.1681 or [jejohnson@heartlandalliance.org](mailto:jejohnson@heartlandalliance.org).**
  - **LGBT Asylum Seekers**: NIJC represents detained and non-detained individuals seeking asylum based on their sexual orientation or gender identity and has a growing need for *pro bono* representation of detained, LGBT asylum seekers. LGBT asylum seekers often face unique issues in the immigration system, particularly if they are detained. **For more information about detained and non-detained LGBT asylum cases, please contact Lilia Escobar at 312.660.1306 or [lescobar@heartlandalliance.org](mailto:lescobar@heartlandalliance.org).**
  - **Unaccompanied Immigrant Children Asylum Seekers**: Unaccompanied immigrant children follow dual paths to seek asylum under current law. Although these children are typically in immigration court removal proceedings, they must first seek asylum before the asylum office. If the asylum office grants asylum, then their removal proceedings are terminated. **For more information about unaccompanied child asylum cases, please contact Anna Sears at 312.660.1307 or [ansears@heartlandalliance.org](mailto:ansears@heartlandalliance.org).**
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## INTERESTED IN REPRESENTING AN ASYLUM SEEKER THROUGH NIJC?

No matter what type of case interests you, the next steps to help an NIJC client are easy:

**1) Attend our next training or watch a webinar of a past training.**

- NIJC hosts trainings for *pro bono* attorneys interested in representing asylum seekers several times throughout the year. Trainings are announced on our website as well as via our monthly newsletter.
- Webinars from past trainings can be found on our website – [www.immigrantjustice.com/training-webcasts](http://www.immigrantjustice.com/training-webcasts).

**2) Choose an NIJC client to represent.**

- Contact Anna Sears at [ansears@heartlandalliance.org](mailto:ansears@heartlandalliance.org) to request a copy of NIJC's most recent *pro bono* case list.

**3) Utilize NIJC's extensive *pro bono* resources at <https://immigrantjustice.org/resources> and in-house expertise to prepare a strong case for your client.**