

Catholic Charities
Immigration Clinic

GONZAGA | School of Law
UNIVERSITY

**GONZAGA LAW
IN ACTION
NOGALES
2020**



Report for Gonzaga Law in Action: Nogales 2020

March 8 – 14, 2020

Gonzaga Law in Action: Nogales 2020 offered a transformative experience for students working directly with asylum seekers at the U.S.-Mexico border. Five Gonzaga University School of Law students volunteered to spend their spring break working alongside law school alumni, faculty, and staff to counsel asylum seekers in Nogales, Mexico. Immigration law professor Megan Ballard and Immigration Clinic director Megan Case arranged and led this program.



Gonzaga Law partnered with two nonprofit organizations to facilitate the program. The Arizona-based nonprofit legal service organization, the Florence Immigrant and Refugee Rights Project, coordinated our advocacy work. The Kino Border Initiative, a Jesuit-founded binational migrant assistance group, offered working space and scheduled the individuals and families in need of legal counsel.

Students, staff and alumni outside of the Kino Border Initiative's New Migrant Welcome Center in Nogales, MX.

Back, left to right: Emmanuel Elizondo Leon, '16; Alexandra Miller, Florence Immigrant and Refugee Rights Project; Megan Case; Andy Havens; Amanda Breck; Anna Wall; Sarah Guzmán; Jessica Lewis, '13.

Front, left to right: Marthy Hernandez; David Salgado; Megan Ballard.

It was not until the end of January that this collaboration coalesced, making it all the more impressive that students were able to arrange their work, study, and family schedules with only five weeks' notice. During this time, three 1L students, a 2L, and a 3L student all participated in a crash course on asylum law offered by Professor Ballard and read background materials provided on U.S. immigration policy and the causes of forced migration from Central America.

The work was difficult for many reasons. First, the people with whom we met were traumatized not only by extreme violence in their home countries, but also by two recent U.S. immigration policy shifts. Under the "metering" policy, U.S. immigration officials limit the number of people who can request asylum at a border port of entry each day. Metering has caused a backlog compelling asylum seekers to wait in Mexico for up to six months just to begin the asylum process.

The "migrant protection protocols," informally known as the "remaining Mexico" policy, returns most asylum seekers back to Mexico to await their immigration court hearings. The combination of these two policies leaves tens of thousands of vulnerable asylum seekers stranded in Mexico for months, living precariously with constant threats of violence and extortion. These policies also mean that asylum seekers have little or no access to legal advice and most must navigate the complex asylum application process on their own.



Interviewing a new client from a different cultural background, seeking detailed information about their suffering and fear, is difficult for most seasoned lawyers. Conducting such an interview in Spanish adds another layer of complexity. Maintaining professional composure and compassion while the parents in front of you explain how their child was assassinated, or recount a similar horrific experience, represents a level of difficulty many lawyers never confront. Add one more twist: for three days we worked outside in a covered patio area with numb fingers and no electricity for our laptop computers. (Kino's lovely new Migrant Welcome Center was not yet completely operational at the time of this project.)

But all day, each of our five work days, Gonzaga Law students exhibited remarkable resilience and dedication. Towards the end of the week, two alumni and Gonzaga Law's

alumni director, Sarah Guzmán, joined the group. The two seasoned immigration attorneys encouraged students, modeled compassionate interviewing techniques, and skillful drafting strategies. Sarah provided emotional and logistical support, and kept the smaller children occupied with soccer balls donated by a law student unable to join the project.



Each day, after crossing from the U.S. side of Nogales into Mexico, a Spanish speaker partnered with a not-so-fluent Spanish speaker for the day's work. The first two days of the week involved completing informational intake forms for individuals and families. On our first day, we crossed back to Arizona in the afternoon to meet with U.S. Customs and Border Patrol officials on a hillside overlooking the 20-foot border fence, surrounded by towers mounted with surveillance equipment.

The remaining days consisted of working with asylum seekers to complete I-589 forms – the application that each person will eventually provide to an immigration judge. This is the form recounting an applicant’s persecution, framed in a manner to fit one of the narrow legal categories of asylum protection. Details and strategy are key in these applications. Meetings with some families lasted four or more hours. In three days, we completed 32 of these complex forms. One student estimated that each student worked over 35 hours during the week. Most also completed additional school assignments in the evening hours, after the group gathered for dinner to reflect on the families, the violence, the law, and the injustices.



The courage and determination of the people with whom we worked also motivated the group. Most were from Guatemala and Honduras, with a few from Mexico, Cuba, and

Venezuela. We met with teachers, truck drivers, farmers, domestic workers, small store owners, children forced by drug cartels to abandon their studies, and many others. Some had never traveled far beyond the towns where they were born until they were forced to do so because of unimaginable violence and threats and a lack of protection from their own governments.

This project was transformative for students. It allowed them to witness the power of compassion, accompaniment, and law, including the impact of their developing legal skills. While we could not offer any guarantees of success, students saw value in being able to listen, explain procedural next steps, and convert a narrative into a legal petition. They also learned of the enormous unmet legal needs of forced migrants as well as the inequities that afflict immigration law and policy. Because of this impact, we are planning for *Gonzaga Law in Action: Nogales 2021* despite the existing uncertainties.

Gonzaga Law in Action: Nogales 2020 was a joint effort of many, made possible by a generous donor whose support offset student travel expenses. Gonzaga Law staff, Center for Global Engagement leadership, and the University's travel program office provided significant assistance before, during, and after the program.
