



DOMESTIC VIOLENCE VICTIMS SEEKING ASYLUM NEED YOUR HELP!

The UA Bacon Immigration Law & Policy Program and the Florence Immigrant and Refugee Rights Project are jointly launching an effort to ensure high quality representation for immigrant women detained in Arizona with strong claims for asylum based on severe domestic violence. If these women can show that they were singled out for violence because of their gender, and also show that the government in their home country is unable or unwilling to protect them for this violence, they meet the refugee definition and should be granted asylum. Recent caselaw from the highest court in the immigration system has established the viability of DV-based asylum claims. *Matter of A-R-C-G-*, 26 I.&N. Dec. 388 (BIA 2014)

Despite these developments nationally, through our work in Eloy Detention Center, we have seen that it remains challenging for these women to win their cases, especially without representation. Through our Know Your Rights presentations, we know that, on any given day, there are a substantial number of women in Eloy with meritorious claims. While the Florence Project provides them with pro se assistance in preparing their cases, and the UA Immigration Law Clinic can take on a small number of cases each year, we do not have capacity to represent the vast majority of the women with meritorious cases at Eloy. Nearly all of these women have no choice but to represent themselves. If they do go forward pro se, they face months and, in some cases, years in detention in order to pursue their claims. Often, after all that time and effort, they lose.

We have also seen that representation can make a tremendous difference in these women's chances of success. Both the Immigration Law Clinic and the Florence Project have recently succeeded in winning DV-based asylum claims, at both the trial and appeal court levels.

The goal of this project is to increase and coordinate pro bono representation to women in Eloy Detention Center with DV-based asylum claims. This will allow us to systematically document:

- (1) Case trajectories (how long the women remain detained, how high are the bonds, how often are they released);
- (2) Case outcomes with representation; and
- (3) The impact of detention on the physical and mental health of women domestic violence survivors.

In the family detention context, we've seen that an influx of pro bono attorneys can both shift the dynamics of individual detainees' legal chances and inform national policies. We think an influx in Eloy could generate similarly compelling results.

To do this, we need your help! If you are looking for a pro bono opportunity that will develop a diverse set of legal skills, including brief-writing and oral advocacy, give you the opportunity to work closely with a survivor of domestic violence, gain expertise in asylum law, and be a part of a social justice campaign, please consider joining this effort.

Participating attorneys will receive:

- One-on-one mentoring by our staff or participating experienced attorneys.
- One live training by the Center for Gender and Refugee Studies on domestic violence-based asylum claims (CLE credit available).
- One live training by Florence Project and Bacon Program staff on bond hearings (CLE credit available).
- Access to sample briefs, declarations, and supporting documents from successful cases.
- Assistance with identifying expert witnesses, country reports, and other fact gathering, including the use of a law student or legal intern who will be in Eloy regularly to devote time to this project.

Participation requires the following commitments from you:

- To represent your client in bond and removal proceedings. If your client bonds out and you cannot continue to represent in the destination city, we will assist with identifying pro bono counsel in the detainee's new location.
- To keep us updated after each hearing and any other significant case developments.
- To share relevant documents, including briefs, declarations, evaluations, and court orders (redacted as necessary).
- To attend all trainings offered and respond to efforts by us to follow up.

Currently, we are seeking attorneys to take on these cases at the trial court level. We anticipate that many cases will go on appeal, and we would very much welcome continued participation in the appellate process. We will put out another call for pro bono appellate assistance as the need arises. For now, we urge you to considering joining Phase 1 of this effort.

If you are interested or have any questions, please contact Nina Rabin at (520) 621-9206 or rabin@email.arizona.edu or Charles Vernon at (520) 300-4397 or cvernon@firrp.org. We hope to hear from you!