ABA Immigration Justice Project Celebrates Its First Anniversary In San Diego

By Johanna S. Schiavoni, Associate, Latham & Watkins LLP

Several leaders instrumental in kick-starting the Immigration Justice Project celebrated IJP-San Diego’s first anniversary at a “Lunch and Learn” program on February 27, 2009 jointly hosted by the San Diego Chapter of the Federal Bar Association and the San Diego County Bar Association.

FBA chapter president Allison Goddard began the event by welcoming the nearly 100 members of the San Diego legal community in attendance and introducing American Bar Association President Thomas Wells, who traveled to San Diego for the celebration. Mr. Wells explained IJP’s goals of providing services to detained and non-detained individuals in immigration proceedings, increasing their understanding and representation in the process, and ensuring there is no undue delay in the proceedings. He also described the ABA’s role in contributing seed money to found the IJP in San Diego in the fall of 2007 and in providing ongoing support for the IJP-San Diego. In addition to the impact on immigrants’ lives, Mr. Wells spoke of the dramatic impact provision of pro bono legal services can have on the immigration system itself, pointing out that it costs $100 per day per detainee to accommodate each of the 300,000 immigrants currently detained in government facilities.

Mr. Wells was followed by Ninth Circuit Judge M. Margaret McKeown, who chairs the ABA’s Standing Committee on Federal Judicial Improvements. Judge McKeown described the Ninth Circuit’s heavy volume of immigration appeals, which can range from 30-40% of the appeals filed per year (translating into more than 6,000 cases per year) and how the Ninth Circuit’s robust pro bono program has assisted in providing counsel for some of these appeals. Recognizing the benefit of pro bono attorney participation in the administration of justice, Judge McKeown and others conceived of a pro bono project that would provide a platform for addressing the issue in a more systemic way. She turned to the ABA’s Commission on Immigration and members within the Standing Committee on Federal Judicial Improvements; those groups worked with others within the ABA, and the Executive Office of Immigration Review, and founded the IJP. Judge McKeown noted the excellent work done in San Diego by members of the private immigration bar and other non-profits, such as Casa Cornelia. However, given San Diego’s great need for additional pro bono legal representation, it was a logical choice for the location of the IJP.

Judge McKeown also described the academic study component of the IJP. For the first two years of the project, academics at Georgetown University Law Center are documenting the impact of added pro bono representation on the administration of justice from the trial through appellate levels. Finally, she highlighted the benefits the IJP offers legal practitioners, who can serve their community while gaining valuable experience, including going to trial or conducting an oral argument before the Ninth Circuit.

The audience was next addressed by U.S. Immigration Judge Rico J. Bartolomei, the Chief Immigration Judge in San Diego, who welcomed additional competent, caring, and responsive pro bono counsel to the practice of immigration law in San Diego. He described the growing need for pro bono counsel in this community, given the high volume of immigration cases and the risk that clients will fall victim to “notarios,” who falsely claim to be immigration lawyers or specialists.

Judge Bartolomei also described the hands-on experience offered in immigration practice, as well as the high level of practice in San Diego’s immigration courts. Finally, Judge Bartolomei emphasized the personally rewarding nature of the cases in Immigration Court.

The program also included remarks from local immigration practitioner Ginger Jacobs, of Jacobs, Schlesinger, Ople and Sheppard LLP, who talked about her first experience working on a pro bono immigration matter while employed as an associate at a large New York law firm had such an unexpected impact that it motivated her to become a full-time immigration lawyer. She encouraged local San Diego lawyers to take on pro bono immigration matters from IJP-San Diego and to seek out mentors in the immigration bar.

Finally, Liz Sweet, the Executive Director of the IJP-San Diego, gave an overview of the services offered by IJP-San Diego. The organization presently employs three attorneys and a paralegal, and receives permanent office space and other resources from DLA Piper LLP. IJP-San Diego provides substantive training in various areas of immigration law (either to individuals or in-house at law firms). IJP-San Diego also helps volunteer lawyers by matching them with local immigration practitioners as mentors. Ms. Sweet explained the important role volunteer lawyers can play both in screening cases at immigration detention facilities, and in directly representing clients in Immigration Court and appellate proceedings.

To learn more about IJP-San Diego, attend attorney trainings or volunteer as pro bono counsel, please contact Liz Sweet at sweetel@staff.abanet.org. You can also read more about the ABA’s Commission on Immigration and other projects at https://www.abanet.org/publicserv/immigration/home.html.