Volunteer Attorneys Partner With ProBAR to Assist Immigrant Children Detained in Rio Grande Valley

A 17 year old boy from Guatemala, Eswin is a typical ProBAR client. At the age of 11, Eswin's father was murdered and at age 14, his mother was struck and killed by an automobile. Eswin's sister worked as a domestic worker in the nearby capital city and would visit him occasionally. After the traumatic deaths of both his parents, Eswin was left to care for his disabled aunt who had suffered a stroke and could not walk or talk. Shortly after his aunt's death, Eswin, at the tender age of 14, decided to try to make it on his own. He moved north, first landing in Mexico where he worked for a towing company for almost two years, sleeping on the office floor at night. He eventually came to the United States hoping to find safety and his dream of once again having a family.

With the assistance of the South Texas Pro Bono Asylum Representation Project (ProBAR), Eswin won the right to remain in the United States. He will live with a foster family through the Office of Refugee Resettlement. ProBAR is a project of the American Bar Association, the State Bar of Texas, and the American Immigration Lawyers Association. ProBAR is a national effort to provide pro bono legal services to immigrants and asylum seekers detained in the Rio Grande Valley of South Texas.

Currently, over 400 children ranging in age from newborns to 17 years of age are detained without family in the Rio Grande Valley. Mostly from Central America, these children are often fleeing severe domestic violence, sexual abuse, gang brutality, and abandonment leading to dangerous lives on the streets. These children come to the United States with hopes for a safe future. Upon entering the United States, however, these unaccompanied minors find themselves caught in a complicated legal process facing imminent removal to their home countries. Without ProBAR and its many volunteers, the children would face this daunting legal process alone.

Attorneys can volunteer with ProBAR in a variety of capacities depending on time and geographic constraints. For attorneys that are not available to provide full representation for a child seeking asylum, numerous other volunteer opportunities exist. Attorneys can assist with drafting briefs, researching country conditions and compiling supporting documentation – all of which can help a child obtain asylum. For example, Amberly Dattilo, a volunteer attorney in Houston unable to travel to the Rio Grande Valley, partnered with ProBAR’s Children’s Attorney Gladis Molina to represent a 17 year old child in asylum proceedings. While in Houston, Dattilo researched country conditions and prepared an Index of Supporting Documents for the child’s claim. Molina was able to represent the child in court, with the help of research and supporting documents compiled by Dattilo. Below is an excerpt of a comment written by the 17 year-old child who recently won asylum with the help of Molina and Dattilo.

… [I] want to tell you thank you very much for helping me on my case. Because of you and the other attorneys I won asylum, thank God. I would really like it if you kept on helping the other kids and if you can help them like you helped me… Goodbye, thank you for everything, take care, and keep doing this because God will reward you for all the good things that you do.

Translated by Lauren Fisher, Children’s Paralegal

To help attorneys who are interested in volunteering, the Texas Young Lawyers Association and ProBAR created a training DVD, which includes testimonials from volunteer attorneys as well as unaccompanied children who have benefited from the assistance of pro bono attorneys. Additionally, this TYLA/ProBAR Unaccompanied Children’s Project training video provides an overview of the immigration system, legal relief, and the process for volunteering. Attorneys viewing this DVD can receive up to 3.5 hours of CLE credit. For more information about ProBAR, contact Diane Eason at the ProBAR Children’s Office at 956-365-3775 or via e-mail at probar@sbcglobal.net.

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