



FBA HELPS LAUNCH NEW ABA PRO BONO IMMIGRATION PILOT PROJECT IN SAN DIEGO

By IRENA LIEBERMAN, ABA COMMISSION ON IMMIGRATION AND RUPA G. SINGH, MCKENNA LONG & ALDRIDGE LLP

On September 7, 2007, FBA–San Diego hosted a meeting at the offices of McKenna Long & Aldridge LLP convened by the American Bar Association (ABA) to unveil a new pro bono immigration pilot project to be launched in San Diego this fall. Representatives from several local and specialty bar associations and public interest organizations were in attendance, including the San Diego County Bar Association, Lawyers Club, the Pan Asian Lawyers of San Diego, La Raza, the South Asian Bar Association, and the San Diego Volunteer Lawyers Program. The Immigration Justice Project of San Diego (IJP–San Diego) is a unique collaborative effort that brings together several ABA entities, the immigration courts, the Board of Immigration Appeals, and federal courts, Georgetown University Law Center, the American Immigration Lawyers Association, and the private bar. The IJP–San Diego aims to secure pro bono counsel for both detained and non-detained immigrants and asylum-seekers in removal proceedings.

With no right to government-funded counsel, indigent immigrants often proceed before the immigration courts pro se, arguing for asylum and other forms of relief. The lack of representation for immigrants has dramatic consequences, particularly for those fleeing persecution at home or facing separation from family in the United States. Representation is even more critical for asylum-seekers suffering from post-traumatic stress disorder, and for those who face cultural or linguistic barriers and lack an understanding of our complex and rapidly changing laws.

By increasing representation at the immigration court level, the IJP–San Diego aims to benefit the judicial system as a

whole. In recent years, the volume of immigration appeals has skyrocketed, with more than 50% of all immigration appeals handled by the Ninth Circuit alone. As a result, the federal courts are greatly strained. It is anticipated that, in adjudicating appeals, federal judges reviewing records of proceedings where there is legal representation will be able to render decisions with greater efficiency, fairness, accuracy, and consistency. Legal representation also results in higher appearance rates, and promotes more meaningful access to justice.

During the first two years of the IJP–San Diego, a study will be conducted to evaluate its impact on key stakeholders. According to Ninth Circuit Court of Appeals Judge M. Margaret McKeown of San Diego, who chairs the ABA's Standing Committee on Federal Judicial Improvements, "the project provides a unique opportunity to examine the effects of representation on the administration of justice from the trial through the appellate level."

Finally, the IJP–San Diego hopes to expand the scope and quality of representation available for immigrants in San Diego to help curb victimization by so-called "Notarios," who falsely claim to be immigration lawyers or specialists. To learn more about the IJP, or if you are interested in volunteering, please contact Irena Lieberman, Director of the ABA Commission on Immigration, at liebermi@staff.abanet.org. FBA–San Diego will also periodically provide information to its members about collaborative efforts by the bar to fundraise for and otherwise support the IJP–San Diego.

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Taking advantage of the spectacular location, the Conference Executive Committee planned several social and networking events, including for the attendees' families. These included a Hawaiian Lu'au Buffet Dinner (which had to be moved inside from the beach and the hotel lawns because of rain); a well-received concert by the folk singing musical group, the Highwaymen, including **Ninth Circuit Judge Steven Trott**; District Dinners; daily yoga sessions; a culinary education tour of Oahu's Chinatown; a private tour of Pearl Harbor; and an interactive tour of the Bishop Museum, featuring the natural and cultural history of Hawaii. Building on the tradition of a Wellness Program for Judges started by the late **Judge Judith N. Keep** (S.D. Cal.), the Conference Executive Committee convened experts to discuss both prevention of eye diseases and medical advancements to preserve eyesight.

The Southern District Dinner, held at the beautiful Hawaii State Art Museum, provided an opportunity for the San Diego federal bench and bar to meet as a small group, and welcome the new lawyer representatives. In addition to formally announcing

Bankruptcy Judge Hargrove's retirement and **District Judge Napoleon A. Jones'** election to take senior status, **Chief Judge Irma E. Gonzalez** thanked the Lawyer Representative Co-Chairs (**Fred Kosmo** and **Tim Scott**) for planning an outstanding dinner at a unique venue, and recognized the attendance of the Clerks of the District and the Bankruptcy Courts (**W. Samuel Hamrick, Jr.** and **Barry K. Lander**, respectively) as well as the U.S. Attorney (**Karen Hewitt**) and the Executive Director of the Federal Defenders, Inc. (**Reuben Cahn**).

One of the main highlights of the Conference came just before closing remarks and adjournment — a *Conversation with the Honorable Associate Justice John Paul Stevens*. Justice Stevens addressed the role of *stare decisis* in the decisions of the past term, the impact of technology on the Supreme Court's jurisprudence, and the recent changes in the Court, and answered attendees' questions. The Conference closed with an early announcement to Save the Date for next year's Circuit Conference, which will be hosted by the District of Idaho, and held at the Sun Valley Resort, Idaho from July 28-31, 2008.