

Practice Tips: The Role of the American Lawyer in Working with African Immigrant Communities

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In light of the numerous barriers that may prevent African women from reporting domestic violence in the United States and using the American legal system to get protection, lawyers in the United States have a critical role to play in reaching out to and proactively working with the African community.

Below is a list of six actions you can take to reach out to and more effectively work with African immigrants in your community:

- 1. Conduct legal rights education seminars at religious institutions and community centers that host large African communities.** It may be most effective to discuss domestic violence protections within the context of a more general legal rights presentation, so that women will not feel stigmatized by attending the seminar. This is also an opportunity to educate men about the repercussions under the law for abusers in the United States.
- 2. Hold empowerment workshops with African women to teach them about the laws available to protect survivors of domestic violence in the United States.** Invite African clients to share their own thoughts about cultural perspectives on domestic violence in their communities and to tell their own stories of finding help through the police, courts, domestic violence shelters, and psychological counseling systems in the United States. The author of this article conducted an empowerment workshop for African women in the Washington, D.C. area in 2008. The workshop focused on legal protections for women under immigration law (including self-petitions under the Violence Against Women Act and U visas for victims of crime) and under family law (temporary restraining orders, divorce, custody, and child support). The participants were very enthusiastic about the workshop and suggested that similar workshops be held on a regular basis within the community.
- 3. Educate the African community about the importance of reporting crimes to the police, filing for protective orders, and working with the police and courts to investigate and prosecute crimes of domestic violence and other crimes.** Police reports and protective orders can be critical pieces of evidence for abused women who seek immigration relief by filing self-petitions under the Violence Against Women Act or filing petitions for U visas as victims of crime.
- 4. Educate religious leaders who work with the African community and with other immigrant communities about the resources available to survivors of domestic violence.** Since many African women may turn to their pastors or other religious leaders when they are experiencing violence in the home, it is important to educate religious leaders about the resources

available to survivors of domestic violence. Since some religious leaders come to the United States from abroad on temporary religious worker visas, they may be unfamiliar with the American legal system and with the social services available in the United States for survivors of domestic violence. Even those who have grown up in the United States may not be familiar with the specific resources available in their community.

- 5. Be aware of cultural issues that may arise during consultations with your clients.** Cultural issues may arise during any consultation where the lawyer and client are from different cultures. The cultural context that may shape the experience of some African clients has already been discussed in detail above. Some African clients may be reluctant to talk about the abuse they have experienced out of feelings of shame, guilt, or fear. They may minimize the abuse when first describing it to their lawyer, due to a feeling that they deserved the abuse and that their husband was only trying to “discipline” them. They may also be afraid to report the abuse to their lawyer or to law enforcement because their husbands may have threatened to have them deported if they tell anyone about the abuse.
- 6. Encourage therapists in your community to develop support groups for African women who are survivors of domestic violence.** Because psychological counseling is not a common practice in many African countries and is viewed as culturally unacceptable in some cultures, some African women may initially be unfamiliar or uncomfortable with the idea of seeking therapy. A support group specifically for African women may serve as a more comfortable atmosphere in which African women can share their experiences of abuse as well as the stories of empowerment they have experienced through seeking counseling and legal assistance. This model has proven successful at the Abused Persons Program of Montgomery County, Maryland, which holds a weekly African Women’s Victim Empowerment Group. Participants in the group speak very positively of the benefits they have gained through bonding with and learning from other women from similar cultural backgrounds who have survived abuse. Therapy is also important in order to enable a lawyer to effectively assist his or her clients. Psychological counseling can help clients gain the courage to report their husbands’ abuse to the police and to work with law enforcement in investigating and prosecuting violent crimes. Such steps are necessary to help the lawyer prepare successful applications for immigrant survivors of domestic violence. Moreover, therapists can provide valuable affidavits to support clients’ applications for immigration relief.