

## HUMAN RIGHTS AND REFUGEE PRACTICE

Latham & Watkins safeguards the rights of immigrants and refugees from around the world through both direct legal services and advocacy by helping asylum seekers obtain safety; by assisting with Special Immigrant Juvenile Status applications for abused, abandoned and neglected youth; by pursuing U-visas, T-visas and Violence Against Women Act petitions for immigrant victims of crime, trafficking and abuse; by obtaining release from custody on bond and improving the conditions of immigration detention; by pursuing appeals and other relief in immigration court and other venues on behalf of immigrants; and by using our experience and commitment to human rights and refugee issues to advocate for progressive reform and policy change in a variety of areas. Our program has a particular focus on asylum seekers, immigrant victims of crime and unaccompanied refugee children. We represent dozens of refugees each year, as well as pursue larger projects addressing systemic issues. The following are just a few examples.

### SECURING ASYLUM FOR REFUGEES

#### Asylum for a Refugee from a Minority Clan

Our San Diego office successfully obtained asylum for an East African whose minority clan has suffered extensive persecution. Our client was kidnapped and beaten by rival clan members, and his father and brothers were killed in their home, before he ultimately escaped the country and eventually sought refuge in the United States. The team included San Diego associates **Jenn Casler-Goncalves** and **Anne Beaumont**, under the supervision of partner **Cindy Cwik**, with assistance from legal secretaries **Connie Thompson**, **Becky Neidhardt** and **Susan Buckley**.

#### Asylum Based on Sexual Orientation And Gang Violence

Our Silicon Valley office secured asylum for an immigrant targeted and violently attacked in his home country due to his sexual orientation, and threatened by a notorious drug gang due to his brother's gang ties. Although asylum claims based on sexual orientation and gang violence are difficult to establish, the Latham team was successful before both the US Citizenship and Immigration Service and the asylum office. The team included Silicon Valley associates **Alvina Hsu** and **Elizabeth Ersun**, supervised by partner **John Tang**.

#### Escaping Female Genital Mutilation

Our Chicago attorneys obtained asylum for a single mother from Central Africa fleeing female genital mutilation (FGM) on herself and her daughters. Our client had been protected by her father, who openly opposed FGM and other harmful tribal practices in their rural village. Following her father's death, and fueled by our client's work with organizations that educated young women about the harmful effects of certain tribal practices, our client's extended family became openly hostile toward her, resulting in threats of violence and attempts on her life, and demanded that she and her daughters submit to FGM. Our client was forced to flee her hometown, and ultimately the country, with three of her children, but was unable to secure a passport for one of her daughters, who still lives in hiding. The Latham team helped our client secure asylum in the United States, thus ending her long journey. She is currently working with the

National Immigrant Justice Center to bring her remaining daughter to the US. The team included Chicago associates **Jamie Mickelson**, **Rene de Vera** and **Seth Diehl**, under the supervision of partner **Robin Hulshizer**.

### AIDING IMMIGRANT WOMEN & CHILDREN

#### Special Immigrant Juvenile Status

Our Los Angeles office successfully obtained Special Immigrant Juvenile Status (SIJS) for an orphaned 15-year-old child from Central America who, after the death of his parents, had no family or friends who could help take care of him in his home country. SIJS is available for abused, abandoned and neglected children, and will allow our client to stay with his uncle in the United States. The team also successfully adjusted our client's immigration status, and he is now a lawful permanent resident. The team included Los Angeles associates **Shanaira Udwadia** and **Christine Chuang** and paralegal **Evie Gallardo**, and New York associate **Conor French**, supervised by Pro Bono Counsel **Amos Hartston**.



(Left to right) New York associate Allegra Wiles joins her asylum client, along with teammates Laura Ginns and Santosh Aravind, to celebrate their client's grant of asylum after five years of litigation, including an appeal to the US Court of Appeals for the Second Circuit.



*On seeing an asylum client flourish:*

### Violence Against Women Act

A team from our Orange County office successfully represented a domestic violence survivor in obtaining relief under the Violence Against Women Act (VAWA), which permits undocumented battered spouses to independently apply for immigration relief without relying on their spouses. Our client came to the United States with plans to marry in 2003, when she was three months pregnant with her first son. Shortly after her wedding, our client's husband began to physically and emotionally abuse her, on one occasion threatening her with a knife and strangling her until she could hardly breathe. Our client's husband often used her immigration status as a means of control by telling her that if she ever left him or reported him to the police, he would call immigration and have her deported. The Latham team assisted our client in obtaining permanent resident status. The efforts were led by Orange County counsel **Paul Konovalov** and associates **Nicole Vanderlaan Smith** and **Mayte Santacruz Benavidez**.

### U-Visas

Our New York office assisted a domestic violence victim in obtaining a U-visa, which provides a path to legal status for non-citizen victims of crimes who assist law enforcement authorities with their investigations. Our client was physically, verbally and emotionally abused by her boyfriend for most of their 14-year relationship. After gathering the courage to file a police report and assist the police and District Attorney in prosecuting her abuser, our client applied for U-visa status for herself and her daughter. Thanks to the help of her Latham team, our client was approved for a U-visa and a work permit. No longer fearing deportation, she is now able to provide a safe home for herself and her daughter. The team was led by New York associates **Jen Berman** and **Matthew Dewitz**, under the supervision of partner **Chris Plaut**.

## WORKING TOWARD SYSTEMIC CHANGE

### Immigration Court Reform

The US immigration courts are overwhelmed by an exploding caseload and are in need of reform. In 2009, Latham worked with Applesseed to develop and implement a detailed investigation of the immigration court system, resulting in an in-depth report complete with recommendations for critical reform. Some of the key findings include too few immigration court judges to manage current caseloads; a lack of effective videoconferencing and translation, which undermines fairness; and that while immigrants representing themselves lack crucial information on laws and procedures, they encounter much difficulty in securing professional legal representation. The findings and proposals for reform will be used to advocate for policy change, providing critical evidence to support the need for increased fairness and due process in the immigration court system. The Applesseed project was led by retired partner **Jim Rogers** in our Washington, D.C. office, with support from counsel **Jennifer Hein** and associates **Daniel Glad**, **Benjamin Vinocour** and **Megan Zini** in Washington, D.C., partner **John Giouroukakis** and associates **Dennis Craythorn** and **Seth Goldstein** in New York, partner

“ My most memorable pro bono project was an asylum application, which over three years turned into an asylum appeal. What stands out the most? We were all sitting at our ‘closing dinner’ in a pizza parlor, and we were chatting together in English for the very first time because, over those three years, our client had learned English and become fluent. It was so striking to see all the changes that had come into her life, and I was really happy to be a part of that.”

**Tienlon Ho**

*San Francisco litigation associate*

**Doug Freedman** and associates **Tanya Nair** and **Kevin Agnew** in Chicago and associate **Shanaira Udwardia** in Los Angeles. Since its inception, nearly 100 lawyers, paralegals, summer associates and staff in four offices worked on this investigation and report. For additional information, see page 30.

### Detention Standards Implementation

A multi-office Latham & Watkins team participated in the American Bar Association's Detention Standards Implementation Initiative, a national effort across the United States to confirm implementation of minimum standards governing facilities used to detain immigrants and asylum seekers. In partnership with the ABA Commission on Immigration, Latham attorneys participated in delegations that toured several detention facilities to help ensure fair treatment of detainees on various issues including telephone access, visitation rights and access to legal services. The program was coordinated by Pro Bono Counsel **Amos Hartston** in Los Angeles and associates **Brian Berry** and **Auburn Daily** in San Francisco, with delegation leaders **David Jones** in Los Angeles, **Elizabeth Gobeski** and **Lauren Ross** in San Diego, **Elizabeth Ersun** in Silicon Valley and **Lyndsay Speece** in Chicago, and included numerous attorneys and summer associates across the firm. ■