

## SOCIAL JUSTICE PRO BONO

October 2016

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*The Social Justice Pro Bono Committee finished its first year with several success stories related to Immigration Law – the Committee's inaugural program.*

## Social Justice Pro Bono Committee Kicks Off Its First Year with Numerous Pro Bono Engagements

### ABOUT THE COMMITTEE

The mission of the Social Justice Pro Bono Committee is to ensure that the IADC and its members continue to serve as guardians, caretakers, and advocates of and for social justice and to serve as role models for others in our profession. The Committee will explore and identify approaches to and resources for the provision of legal services to advance the cause of social justice, to assist the poor, disadvantaged, and other individuals, groups or organizations unable to secure legal assistance to address critical problems. The Committee will support, enhance, and transform the social justice and pro bono efforts of IADC members, corporate legal departments and public interest organizations in the U.S. and around the world.

Learn more about the Committee at [www.iadclaw.org](http://www.iadclaw.org).

To contribute a newsletter article, contact:



**James W. Shelson**  
**Vice Chair of Publications**  
Phelps Dunbar LLP  
[shelsonj@phelps.com](mailto:shelsonj@phelps.com)

*The International Association of Defense Counsel serves a distinguished, invitation-only membership of corporate and insurance defense lawyers. The IADC dedicates itself to enhancing the development of skills, professionalism and camaraderie in the practice of law in order to serve and benefit the civil justice system, the legal profession, society and our members.*

As background, the Board of Directors established the Social Justice Pro Bono Committee as a Standing Committee in July 2015. The Board appointed Bob Redmond of McGuireWoods as Chair. Matt Keenan of Shook Hardy Bacon agreed to serve as Program Vice Chair. Jim Shelton of Phelps Dunbar agreed to serve as Publications Vice Chair. Karen Woodward of Sedgwick agreed to serve as Membership Vice Chair. Mike Magner of Jones Walker agreed to serve as Communications Vice Chair. Vani Singh of McAfee Taft agreed to serve as Webinar Vice Chair. Daniella Karollus-Bruner agreed to serve as International Vice Chair. Andy Kopon was the initial Board Liaison. David Rosenberg is the current Board Liaison and Craig Thompson, also of the Board, is very active on the Committee.

The Committee discussed its goals and decided that the IADC membership would initially prefer a pro bono project focused on in-court litigation skills and individual advocacy (rather than, for example, advocacy or public service projects). Based on this consensus, the Committee decided to focus its initial efforts on representing immigrants and unaccompanied minors in Immigration Deportation proceedings. This focus allowed the Committee to apply its in-court advocacy skills to help an underserved population.

The Committee kicked off this effort with a Committee CLE and Webinar on "Immigration Law 101 – Representing EWI Clients". The CLE was a "how-to" seminar on the practical steps

necessary to defend against deportation by seeking asylum or related relief.

From there, the IADC Committee members started taking on immigration cases. Some recent examples are discussed below.

**1. Craig Thompson, Venable, Baltimore, Maryland.**

**Daniel's Story:**

Venable secured a very successful outcome for Daniel A., a pro bono client with immigration issues. The legal team consisted of Craig Thompson, Jamie O'Connor, and Daniel Loveland. After securing an order for his release Daniel A., was able to go home to his family after being civilly detained for nearly two and a half years.

Daniel is a Jamaican citizen who has been in the United States since he was a child. He was convicted of two drug offenses and one first-degree assault in his teens and early twenties. Daniel served a sentence for those crimes and was released in September 2011 on parole. While he was out, Daniel complied fully with all conditions of his parole and earned and kept a steady job working construction. He also met his fiancée, Lashaun, and helped her in raising her two children by supporting them both financially and emotionally.

On December 5, 2013, after Daniel had been out on parole for over two years, Department of Homeland Security officials detained Daniel

on the charge of being removable for his previous crimes. From that date, Daniel remained in custody at the Howard County Detention center, until this summer. During his detention, Daniel fought to stay in the country, but after a series of legal battles and delays, his order for removal became final on August 4, 2015. He was detained for nearly ten months after that date.

Craig and his Venable team received Daniel's case from the Capital Area Immigration Rights Group, and partnered with them throughout the case. Under the Supreme Court's *Zadvydas* precedent, it is presumed that a detention of up to six months from the time a removal order becomes final is reasonable. After that point, the legal battle is between the government and the petitioner to show whether removal is significantly likely in the reasonably foreseeable future. We were happy to win that fight.

Craig filed a petition for Daniel's release on April 28, 2016, that included the legal arguments for why Daniel should be released and also incorporated the relevant equities surrounding his situation. On May 20, 2016, Judge Grimm issued an order to show cause, requiring the government to respond to our petition and setting a hearing date for May 31, 2016. On the eve of the hearing date, the government folded, and negotiated the terms for Daniel's release. Venable was able to guarantee that Daniel would be released to his family on clear and favorable terms.

Craig has continued his support of the Social Justice Pro Bono Committee by spearheading

an Asylum training program with Catholic Charities of Washington D.C. Craig has arranged for his firm, Venable, to host a day-long training program for lawyers interested in providing pro bono representation for asylum applicants. The plan is for Catholic Charities to reach out to major law firms in Washington D.C. and requests that they send an attorney or two to Venable for the training day. Once trained, these attorneys will be ready to help the thousands of unrepresented asylum applicants in the DC Metropolitan area.

## **2. Bob Redmond, McGuireWoods LLP, Richmond, Virginia.**

### **Once a Soldier ...**

Bob Redmond had founded a Pro Bono Legal Clinic in March 2005 to provide pro bono services to Hispanic immigrants in Richmond. He has stayed active with the clinic and recently took on a case for an El Salvadoran family who recently came to this country seeking asylum. The family – a father, 17 year old son and 17 year old daughter – had been threatened with death by the MS-13 – Mara Salvatrucha (roughly translated as “violent country boys”). The family had operated a successful inter-city bus company in El Salvador but the gang started to extort money from him and ultimately gave him the choice to leave El Salvador or die. Prior to that, however, the father had been a Special Forces soldier for the El Salvadoran Army. He had been trained by the 5<sup>th</sup> Special Forces Group of the United States Army. He even served as a Guard for the United States Embassy in El

Salvador. In the process of preparing the family's asylum application, we learned of the father's military service and were able to incorporate that service into the application. Bob filed the asylum application on October 7, 2016. The family has its first hearing on December 29, 2016.

**3. Andy Kopon, Kopon Airdo, LLC, Chicago, Illinois.**

**Generating Immigration Cases in Chicago.**

Kopon Airdo, LLC has accepted its first pro bono case through the National Immigrant Justice Center of the Heartland Alliance in Chicago.

**4. Jim Shelson, Phelps Dunbar, LLP, Jackson, Mississippi.**

**Generating Immigration Cases in Mississippi.**

Jim Shelson is working with Catholic Charities in Jackson, Mississippi, on four immigration cases. Jim has participated in an asylum hearing in New Orleans and telephonic hearings regarding scheduling and administrative matters in two other cases. Jim is also coordinating with other law firms with IADC-member lawyers to handle immigration cases through Catholic Charities. Baker Donnelson has already agreed to handle one such case. Catholic Charities has been a great partner to work with on these immigration matters.



### **Past Committee Newsletters**

Visit the Committee's newsletter archive online at [www.iadclaw.org](http://www.iadclaw.org) to read other articles published by the Committee. Prior articles include:

OCTOBER 2015

Establishing a Pro Bono Program

Robert F. Redmond Jr.