



VICTORIES FOR IMMIGRANT CHILDREN

Luis* is seventeen year old boy from Honduras who the Florence Project met for the first time in December 2007. As a very young child, Luis was severely abused by his older siblings. He left home to escape the abuse when he was just seven years old. For years, Luis made his way, living on the street, picking up work where he could find it. As a child on his own, Luis was frequently targeted by violent gangs, and often moved in order to escape harm at their hands. His parents never expressed a willingness to care for him or protect him. As a result of these experiences, he suffers from post-traumatic stress disorder.

Upon meeting Luis, the Florence Project began a case for him to seek Special Immigrant Juvenile Status, or, in the alternative, asylum. Special Immigrant Juvenile Status is a case for lawful permanent residence (a green card) for children who lack parental protection. Children who have been abused, abandoned or neglected may file for this relief.

Meanwhile, in January of this year, a lawsuit, *Perez-Olano v. Gonzalez*, was decided by a federal district court in California. This court considered the issue

of whether “specific consent” from Immigration & Customs Enforcement (ICE) is required in order for detained children to go forward with their cases for Special Immigrant Juvenile Status. Over 2007, ICE had denied specific consent for virtually every case for an abused child. This meant legal relief was denied to numerous deserving Florence Project clients who were deported back to abusive situations, or to live in the street. After *Perez-Olano v. Gonzalez* however, this changed. Beginning with Luis’s case and continuing over the past six months, the Florence Project has been able to advance numerous Special Immigrant Juvenile Status cases without having to ask for specific consent.

To date, every one of these cases has succeeded. So far this year, the Florence Project has won green cards for Luis and twelve other abused, abandoned children with similar stories. These children are now receiving services from Child Protective Services, and beginning new lives as lawful permanent residents of the United States.

We are grateful to the incredible volunteers and pro bono attorneys who have helped us make this work

possible, particularly Ric Tobin who worked on six of these children’s cases. We also would like to recognize Lewis & Roca attorneys Chanda DeLong, Sam Chang, Dave Krupski, and Matt Bingham, attorneys from Steptoe & Johnson, including Aaron Lockwood, Frank Crociata, and Robert Vaught, and private practitioners Margo Schorr and Susan White. Without these dedicated volunteers, none of these children would be living in safety in the United States today.

* Name changed to protect client’s identity

CHILDREN’S LEGAL EXPENSE FUND – WE NEED YOUR SUPPORT!

The children the Florence Project serves journey to the United States on their own, often to escape abusive homes or lives on the streets. While these children are rich in strength and perseverance, they do not have financial resources. At the same time, Special Immigrant Juvenile Status cases are unusually expensive. To complete each child’s case there are, for example, immigration application fees that can not be waived on poverty grounds and costs to obtain mandatory documents such as original birth certificates and passports. The unaccompanied children do not have family members or support networks in the United States to help cover these costs. The Children’s Legal Expense Fund was created—with an initial donation from pro bono attorney Ric Tobin—to respond to our victories providing full representation to children and the reality that the Florence Project has scarce funds to cover these new client expenses. All contributions to the Fund will be designated to directly cover the legal expenses a child incurs in winning legal relief to stay in the United States. To support this effort, please mark your donation as intended for the Children’s Legal Expense Fund.



Three clients - one a successful green-card winner - and a volunteer at a recent party celebrating the Children’s Initiative.

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PRO BONO SPOTLIGHT

“APPELLATE ANGEL” AND “IMMIGRATION COURT HERO”

Kari Hong, one of our most prolific pro bono attorneys (and commonly known as our “Appellate Angel”) has represented numerous Florence Project clients at the Ninth Circuit Court of Appeals and the Board of Immigration Appeals. Originally from Minnesota, Kari graduated from Swarthmore College and Columbia Law School before clerking for federal judges at the U.S. District Court and Ninth Circuit Court of Appeals. She went on to open her own practice specializing in corporate, criminal, and immigration law with offices in Portland, Oregon and Oakland, California.



Pro bono attorney Kari Hong

Several years ago, Kari contacted the Florence Project to inquire about potential pro bono appellate cases – a call that has led to her representation on such cutting-edge legal issues as asylum claims based on sexual orientation in Uganda and ex-gang members in Guatemala. Kari is the pro bono our attorneys turn to when they encounter an appeal so complex and challenging that it requires a special level of expertise (a phenomena giving rise to our expression “that’s a Kari case!”). Kari’s superior advocacy skills are combined with her generosity and willingness to accept almost any case that a desperate attorney may pitch to her. Many Florence Project clients may

not be aware that if they are lucky enough to have Kari accept their cases, they receive some of the best appellate representation available in the Ninth Circuit. Thank you, Kari, for the countless hours of high-quality representation you provide to our clients!



In 2001, Anthony Pelino, an immigration attorney and clinical professor from Boston made a life changing move, which involved converting an unassuming peach-colored suburban house in downtown Florence into a powerhouse for immigration advocacy. Since he opened the doors to his private practice, Anthony has become a permanent fixture of the Eloy and Florence Immigration Courts.

Anthony’s decision to pull up stakes in Boston and move to this town that we call home perhaps did not come as a complete surprise to then Executive Director Christopher Nugent. In 1999, Anthony called Chris from Boston to ask for his thoughts on an asylum case. It was after that chance phone call and half a dozen pro bono cases later that Anthony decided to set down roots amongst the saguaros and the chollas. Now, it is not uncommon for Anthony to stop by the Florence Project’s office to discuss strategies for dealing with new developments in immigration law, to inquire about a pro se person he noticed in court, or to seek out new opportunities for pro bono work.

In the detention centers, his reputation precedes him, and he is held in high esteem by the courts, his

clients, colleagues, and detention center staff. And, even as his practice has grown, Anthony has never forgotten the importance of pro bono service. At any given time, Anthony is litigating between 5 and 10 active pro bono cases in front of the local immigration courts. In recent years, Anthony has represented Florence Project referrals on a wide variety of legal claims to relief, including: asylum, withholding of removal, and Convention Against Torture, cancellation of removal for lawful permanent residents, cancellation of removal for non-permanent residents, victims of trafficking (T visas), and termination of proceedings on purely legal grounds.



Pro bono attorney Anthony Pelino

Anthony’s immense respect for his clients, his caring approach and zealous commitment to every case is transparent. In fact, on any given morning a staff member might bump into Anthony in the detention center parking lot smiling and pointing to his cheerfully-colored tie, proclaiming “I thought my client might appreciate this one.” Thank you, Anthony, for making that move to Florence!

SAVE THE DATE: PRO BONO ATTORNEY TRAININGS

November 5, 2008 from 8:30 am to 11:30 am

**REPRESENTING A CHILD IN OBTAINING SPECIAL IMMIGRANT
JUVENILE STATUS**

HOSTED BY OSBORN MALEDON
2929 North Central Avenue, Suite 2100
Phoenix, Arizona 85012

November 13, 2008 from 8:30 am to 11:30 am

**REPRESENTING AN ASYLUM CLIENT IN REMOVAL
PROCEEDINGS**

HOSTED BY FENNEMORE CRAIG
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012

Contact Nancy Acevedo, nacevedo@firrp.org, for more information

VOICES FROM DETENTION

The following story comes directly from a former Florence Project client who was detained in Florence for over 10 months. Armando is 26 years old and lawfully came to this country from Honduras when he was a baby. In March 2008, after a long fight to remain in the United States, Armando's removal order became final. He courageously wrote this piece just days before his deportation.*

I have been "detained" by the Department of Homeland Security for over ten months now, as I had been fighting my deportation case and hoping for a second chance. I really don't like the word detained because I feel it is a word used by "them" in an attempt to lessen the truth; that I am their prisoner.

It seems all I have been doing in my life is adapting to major changes, one after the other. From the loss of my father at seventeen, to adapting to military life, to getting used to a 6x9 cell. I have had to make some major adjustments and I have come to learn that change is inevitable.

However, I never would have guessed that I would now be getting ready to be deported to a country I know nothing about. I never thought I would be preparing to be banished from the only country I have known, the country I volunteered to fight for, and not to mention the country that my family lives in.

I thought I had fully prepared myself for this but, I can't escape the incredible feeling of uncertainty throughout my body. Something I can't stop thinking about is the flight I will be placed on to Honduras; the country my family and I immigrated from when I was only nine months old. I think of the cold shackles I will be wearing and how nervous I will be. I'm gonna be surrounded by so many fellow deportees with whom I have only one thing in common; where we were born. I wonder how many of them will have spent their entire lives in the U.S. before being deported? How many of them have served in the U.S. Armed forces? But it really doesn't matter. We are all leaving our lives behind. We are all being torn from what means most to human beings no matter what your birth

certificate says... our families!

I like to think of myself as a pretty strong minded person and I can say that I have taken all that has happened recently considerably well, but the one thing that I will never forget, the one thing that really hurt me was having to tell my family of my fate. I had never felt as helpless and deeply saddened as the day I heard my mother weep on the phone after I told her I was being deported. I tried to prepare them for my possible deportation, but it was not enough. Her heart was broken. My whole family feels wronged.

They (my family) tell me to be strong and faithful and I do have faith. Any day now I will be told to get my stuff together by an officer, and told to get on that plane. What is meant to happen from there, I will soon find out.

Part II of Armando's story will appear in our next newsletter. This piece also appears in former FIRRP staff attorney Raha Jorjani's blog at Race Wire Color Lines (www.racewire.org).

** Name changed to protect client's identity.*



Art given to a staff attorney drawn by a client.

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** As of September 2008*

INTERN EXPERIENCES

This summer we welcomed six amazing interns to Florence, all of whom worked tirelessly for our clients and lit up our office with their energy and dedication. The following are excerpts about their experiences. Thank you Emily, Céline, Sean, Luis, Laura and Eunice!

Being an immigrant myself, I was very excited about the opportunity to not only learn about immigration in this country, but also to help immigrants that lack legal assistance. I was not disappointed. FIRRPP adopts a “trial-by-fire” approach towards summer intern opportunities. Interns are in detention facilities and talking to detainees within a day or so of their start date. I was also allowed to handle all aspects of a Ninth Circuit amicus brief. Despite the plethora of learning opportunities, however, it is the attorneys and staff that make FIRRPP truly unique.

Their dedication, commitment, and passion for what they do is second to none. In addition, they not only take mentoring and development of the interns seriously, but they are also a great group of people to spend your free time with. I learned almost as much during work hours as I did during conversations with the attorneys and staff while eating a slice of pizza, drinking a beer, attending a baseball game, or enjoying tequila in Nogales. Being a part of such an intelligent and talented team has not only left me with a strong desire to return to Florence, but has

helped redefine my concept of legal stewardship and professional success.

— **LUIS AVILA**, *University of Michigan Law School*

Pro se immigrants face an uphill battle, and I was proud to watch my colleagues help clients win their cancellation cases, petitions for humanitarian parole, and habeas motions. While at the Project, I helped several Adjustment of Status clients with their applications, drafted pleadings and motions to terminate, and helped with client intake. I learned more in 10 weeks than I did in my first year of law school and got to experience the many joys that Florence, Arizona has to offer!

— **LAURA BELOUS**, *University of Arizona James E. Roger College of Law*

My time working at the Florence Project was an incredible, sobering, and eye- and heart-opening experience. Before coming to Florence, the statistics I read about immigration detention seemed alarming: immigration detention as one of the fastest growing sectors of incarceration in the United States, the astronomical rise in the number of beds in immigration detention, and the ratio of funds spent on immigration enforcement versus services. But my short time at FIRRPP made me see how each of those individual statistics/beds/dollars equaled enormous

life tragedy and trauma for individuals, families, and communities. I left FIRRPP with a sobering realization that the news we hear about detention is not an exaggeration, but rather, is a silent tragedy of incredible magnitude.

— **EUNICE CHO**, *Stanford Law School*

My first week interning with the Children’s Project, I saw a young man win his U.S. residency. It was the morning of his eighteenth birthday. The judge came down from the bench, shook the young man’s hand and said, “Welcome to the United States.” This touching moment was the start of an incredible summer working at FIRRPP. In the three short months that I stayed with the Children’s Project, six more children won their cases. This flood of victories speaks to the amazing work that FIRRPP is able to accomplish through its dedication and unwavering perseverance. It also speaks to the strength and courage of every child who crosses the border. To hear their many stories of survival was truly a humbling and inspiring experience.

— **CÉLINE JANELLE**, *Northwestern University School of Law*

Writing about my internship at FIRRPP is difficult. It is difficult to know where to begin. I could start with the well-rounded legal education I received,



Interns Sean Smith, Luis Avila, and Céline Janelle take in a baseball game

researching current legal questions, writing needed briefs, composing and submitting motions, advising and representing clients, and navigating our nation's detention facilities. Alternatively, I could begin with the invaluable relationship I forged with my supervisors, my fellow interns, and the noncitizens I assisted. Still, I could just as easily begin with FIRR's unique place in time and space. I would write about the challenges of working and living in America's modern prison town, interacting with America's Department of Homeland Security, and seeing first hand how our community chooses to treat its citizen-challenged. Or, perhaps I should begin by stating that I hope they hire me in two years (so long as CP, KR, CS, KH, Mad Dog, and the Exec are still there).

— **SEAN SMITH**, *Boston College Law School*

I worked with the kids primarily on their experiences with the Border Patrol. If they had a bad experience with the Border Patrol, and almost all of them have, my job was to talk to them one-on-one about what happened to them and write what they told me into a formal declaration. I also drafted a questionnaire that touched on the rights that children under Border Patrol custody are entitled to but rarely know about. Over the course

of two months I interviewed 77 unaccompanied minors about their treatment while under temporary Border Patrol custody. At the end of my time I drafted a report that dealt with specific violations of the Flores Settlement, the most recent and complete legislation that specifically addresses the rights of unaccompanied minors detained with the Border Patrol. Spending my time with 11 to 17 year olds and learning about all they've been through was incredible. Some of them were going to join their parents and siblings in the states who they haven't seen in years and now have to go back to really awful situations. It makes me angry because they should have the right to be with their families just as much as any of us. Being part of the Florence Project has made me appreciate what the lawyers there work for. I see how much they care about the kids, how little they sleep, and how totally dedicated they are to doing everything they possibly can. In everything I learned this summer I found complications and paradoxes. It was an invaluable experience and the most important thing I found was hope, even amidst so much pain and suffering, and it makes me want to work even harder in the future.

— **EMILY THOMPSON**, *Vassar College*

STAFF UPDATES

Please help us welcome our newest staff member to the Florence Project:

CHRISTOPHER STENKEN, Florence Legal Assistant, began with the Florence Project in April 2008. Chris graduated with a Bachelor of Arts in Latin American Studies from Ohio University in June 2007. As a student, he organized students on human rights issues with the Positive Action group. Before the Florence Project, he volunteered full-time with No More Deaths.

We also bid good-bye to our wonderful colleagues **Melissa Mundt** and **Erin Maxwell**.

MELISSA MUNDT, former Florence Legal Assistant, left the Florence Project in April 2008. Melissa is currently touring to promote a book created by CASA-Chapulín, Colectivos de Apoyo, Solidaridad y Acción, which documents the experiences of teachers and others during the 2006 protests in Oaxaca, Mexico.

ERIN MAXWELL, MSW, former Social Service Coordinator, left the Florence Project in September 2008. Erin is now working in San Francisco as a Field Coordinator for the Lutheran Immigrant & Refugee Service.



The staff of the Florence Project, September 2008



The newest little FIRRpie – Richard William born to John & Jacquelyn Ahrenberg on June 26, 2008.

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5:30 PM-7:30pm

Practical Art

5070 N. Central, Phoenix

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THE NEWSLETTER OF
THE FLORENCE IMMIGRANT AND REFUGEE RIGHTS PROJECT

FALL 2008

ABOUT THE FLORENCE PROJECT

The Florence Project's work is carried out primarily through four programs: the Florence "Justice and Efficiency" Model, the Eloy Pro Se Model, the Detained Immigrant and Refugee Children's Initiative, and the Integrated Social Services Program. As part of its direct legal services, the Project has created "Know Your Rights" videos and self-representation packets as an educational resource for non-profit service providers and detained people nationwide. Nationally, the Florence Project advocates for positive change in federal policies and practices towards those detained and it serves as a resource-development and training center for detention program "best practices." The Florence Project undertakes its national advocacy through membership in the Detention Watch Network, a coalition of more than 100 nonprofit organizations that work with the 200,000 men, women, and children who are held in the U.S. annually as immigration detainees.

MISSION AND VISION

The Florence Project provides and coordinates free legal services and related social services to indigent men, women, and unaccompanied children detained in Arizona for immigration removal proceedings. The Project strives to ensure that detained individuals have access to counsel, understand their rights under immigration law, and are treated fairly and humanely by our judicial system.

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