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## Pro Bono in Action: An Immigrant's Need for Representation

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# Pro bono in action

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## An immigrant's need for representation

Legal representation always matters, but the need for representation intensifies when the most basic rights are at stake. In immigration removal (deportation) cases, the federal government adjudicates whether an individual may live and work in the United States, or whether that person must relocate to another country. Reasons for wanting to be in the United States vary, from a desire to remain with family to a fear for one's life in a home country. In these immigration proceedings, an executive branch employee, an immigration judge, applies the Immigration and Nationality Act, a body of statutes long recognized to rival the income tax code in complexity. With so much at stake and with laws so complex, attorney representation is essential. Unfortunately, however, 60 percent of individuals appearing in immigration court do so without an attorney, and that number has risen to higher than 80 percent for individuals detained during their immigration court proceedings. There is no government-appointed counsel in immigration cases.

The Pennsylvania Immigration Resource Center, or PIRC, is a non-profit legal services provider helping unrepresented individuals detained during their immigration proceedings. Immigration detention, while technically civil detention, often means that a foreign national, charged only with the civil offense of an immigration

violation, is placed in a prison that also houses criminal offenders. PIRC works closely with those immigrants detained at the York County Prison in York, Pennsylvania. Through a contract with the federal government, the York County Prison holds individuals awaiting immigration proceedings. These individuals are often transferred from out of state to York County, an agricultural region located in south central Pennsylvania. Detainees are removed from their home communities to an area where there are few legal services providers. Isolated, these foreign nationals face the challenge of overcoming language barriers and the complexity of the law itself if they attempt self-representation.

Pro bono immigration centers like PIRC work to fill the huge need for representation for immigration detainees. Detained individuals may prepare for their immigration hearings through PIRC's Legal Orientation Program. This program is funded through a Department of Justice contract. Through the program, PIRC delivers group legal orientations, individual orientations for unrepresented detainees, and self-help workshops and arranges pro bono referrals. With these services, PIRC seeks to empower unrepresented immigrants to evaluate and present any defenses against removal from the United States. Though constrained by its resources, PIRC does provide direct representation through some of its other programs to a limited number of detainees. Direct representation services are reserved for the most vulnerable immigrants in detention, including torture survivors and individuals with mental health and/or physical disabilities. Managing Attorney Megan Bremer

shared a recent experience representing a PIRC client:

Representing people in detention is not only a way to uphold the integrity of the judicial system, but to humanize the process. For example, I represented a refugee from Liberia. When the war descended on his village, my client was forced to witness unthinkable brutal acts upon his children. When, despite our arguments, the judge ordered removal to Liberia, my client took my hand and thanked me for believing that he deserved his day in court and for ensuring that he did not have to face his memories alone. It was then that I understood the real power of standing by someone's side in court.

In these direct representation cases, PIRC will continue representation of the foreign national through an administrative appeal and, if necessary, a federal court appeal.

PIRC provides about 1,200 detained foreign nationals a year with a helping hand in a cold, technical, and impersonal system. That PIRC does this with a limited staff and a limited budget makes its efforts even more impressive. "The need for our services far exceeds our capacity to provide assistance. It's a David and Goliath scenario," PIRC's executive director, Angela Eveler, explained. "Our passion for justice drives us forward." PIRC consists of a dedicated crew of three who provide legal services: Managing Attorney Bremer, Lindsay Jenkins, and Andrew Mahon. Eveler oversees its operations with the help of an administrative assistant, Rosina Stambaugh.

A group of local attorneys founded PIRC in 1996, in response to the legal needs of a wave of detainees

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housed in York after the Chinese ship *Golden Venture* ran aground off Long Island, New York. The ship carried approximately 300 Chinese refugees who were fleeing persecution. Since then, PIRC has become the leading provider of legal services to individuals in immigration detention in Pennsylvania. PIRC also plays a national role. It is a leader in the movement to provide due process protections for individuals with mental disabilities in immigration proceedings.

It also plays a national role because Pennsylvania is a major source of immigration detention bed space for the federal government. The government transfers foreign nationals found all over the country to Pennsylvania for detention. For example, right now, the Berks Family Shelter, in Berks County, Pennsylvania, is the government's only immigration detention center dedicated to housing families. Also, the York County Prison is an immigration detention hub for the

Northeastern United States.

PIRC is always excited to reach out to those who are interested in learning more about its mission and services. "PIRC is dependent on the hard work and efforts of its volunteers and pro bono attorneys. They serve in an important role to ensure that access to justice is available to the most vulnerable in our society," said Eveler. To learn more, visit [www.pirclaw.org](http://www.pirclaw.org), or contact Angela Eveler directly at [aeveler@pirclaw.org](mailto:aeveler@pirclaw.org). **BLT**

### ***To donate your services . . .***

**M**any national programs and agencies can facilitate pro bono participation in efforts to help ICE detainees, including the ABA Commission on Immigration. For contact information regarding free or low-cost legal services for immigrants and refugees in your area, visit the interactive map found at [www.abanet.org/publicserv/immigration/legal\\_services\\_directory\\_map.shtml](http://www.abanet.org/publicserv/immigration/legal_services_directory_map.shtml) or contact the commission at 202-662-1005 or [immcenter@abanet.org](mailto:immcenter@abanet.org).