

# CENTER FOR APPLIED LEGAL STUDIES

Apply online at: <http://apps.law.georgetown.edu/clinic-application/>

CALS applicants must complete **both** the general clinic application and a CALS-specific supplemental application. A link to the CALS-specific supplemental application can be found on the general clinic application (address above).

Faculty	Prof. Andrew Schoenholtz (Fall 2020), Prof. Philip Schrag (Spring 2021) and Fellows Deena Sharuk and Alison Coutifaris.
What do students do	Students provide pro bono representation in federal immigration court for refugees who seek the safety of asylum in the United States.
Semester or year-long	One semester, Fall or Spring
Open to	All 2Ls and 3Ls and above (at least 30 credits and 3.1 GPA as of July before clinic begins)
Prerequisite(s)	All first year courses
Credits	10 We recommend taking no more than one other manageable course.
Requires Student Bar Certification	No
How many students	12/semester. We try to accept approximately equal numbers of second and third year students (or part-time division equivalents).
Conflicts	Students with part-time or full-time jobs with the Federal government are ineligible for this clinic.
Average time commitment	At least 35 hours a week, but significantly more during peak periods. Clinic casework may disrupt the normal Georgetown Law Center's holidays and may continue through the end of exam period.
Seminar hours	Wednesdays, 1:30pm-3:15pm; Fridays, 9:30am-11:00am
Orientation	In the Fall semester, orientation begins on the first day of class. In the Spring semester, orientation occurs from Wednesday-Friday of Week 1.
Information session(s)	TBD. In addition, feel free to e-mail us at <a href="mailto:lawcalsclinic@georgetown.edu">lawcalsclinic@georgetown.edu</a> .

## A WELL-FOUNDED FEAR

In 2020-2021, the Center for Applied Legal Studies (CALs) will continue its international human rights project. Students will provide highest-quality pro bono representation for non-U.S.-citizen refugees who seek the safety of asylum in the United States because of persecution or a well-founded fear of persecution in the countries from which they have fled.

Under U.S. law, people facing removal from the United States may win asylum and the right to stay in this country by proving that they have suffered persecution in their home country (or that they face a well-founded fear of such mistreatment in the future if they returned), because of their race, religion, nationality, political opinion, or membership in a particular social group. We also serve immigrants who seek protection under the Convention Against Torture because they fear they will be tortured, often by their own government.

Working in pairs, CALs students will be assigned to represent one or more refugees, ideally taking a case all the way from start (initial client interview) to finish (a presentation to an Asylum Officer of U.S. Citizenship and

Immigration Services or a hearing before a federal Immigration Judge) within a single semester. The students will interview the client; become experts on the human rights record of the client's country of origin; develop documentary and testimonial records to prove that the client either suffered past persecution or would suffer future persecution if forced to return; locate and obtain sworn testimony from lay and expert witnesses (including political, medical, psychological, and other experts); identify and generate documentation that can corroborate a client's story; write a brief, affidavits, and other legal instruments; and present testimony and legal arguments to the adjudicator. Some asylum seekers are forced to assert their claims while being detained, and CALS regularly represents detained as well as non-detained refugees.

Because our cases are often, literally, a matter of life or death, we insist upon the highest standards of practice, and our students consistently rise to that challenge. Asylum Officers and Immigration Judges have praised our students as reaching a level of preparation and professionalism at least as high as, if not higher than, that of the practicing bar.

In recent years, CALS students have represented refugees from the following countries, among others: Afghanistan, Central African Republic, Cameroon, Cuba, Democratic Republic of Congo, Egypt, El Salvador, Ethiopia, Eritrea, Guatemala, Guinea, Honduras, Rwanda, Serbia, Sudan, Syria, Togo, Uganda, and Venezuela. Global political conditions, among other factors, will determine where we concentrate our resources next year.

### THE CASE IS YOUR CASE

Direct student responsibility for representation of clients is the outstanding feature of CALS. CALS will accept 24 students each year. (About half of them are selected from the current first year class). Each semester, the twelve students assume direct responsibility for all aspects of case management, including interviewing and counseling, case evaluation and planning, legal research and writing, fact investigation, and presentation of the full case before the adjudicator. In this Clinic, the cases are fundamentally the students' responsibility: as a CALS student you will meet with your client frequently, locate witnesses and obtain their testimony, draft and sign the forms and briefs, prepare your client to testify, advocate for the client orally, and undertake all the other critical lawyering tasks.

At the same time, students receive frequent, in-depth support and assistance from the teaching staff. CALS instructors will help to prepare students for each of the case-handling tasks through a variety of instructional sessions. Our classes meet twice per week, concentrating on simulation exercises and other practice sessions, as well as devoting attention to the "big picture," reflecting upon the historical evolution of U.S. asylum law and the larger social and political context within which our cases arise.

Each pair of students is assigned to one or two CALS instructors, and the case team meets in tutorial sessions at least weekly, and much more often when events warrant. We also conduct intensive mock asylum interviews or hearings to prepare students, clients, and other witnesses for the real proceedings.

Essentially, CALS instructors regard their function as helping the students to observe, understand, act, create, and evaluate -- not as telling you what to do. We will help you prepare, practice, plan, and assess, but the decisions, and the actions, are fundamentally yours and your client's. The teacher/student ratio in CALS is 1:4, ensuring extensive supervision in the preparation and execution of each case. Our faculty and fellows are all lawyers with extensive experience in the relevant law and procedures.

CALS cases are selected and assigned -- and the caseload is deliberately kept quite small -- with the goals of affording students the opportunity to scrutinize every aspect of the cases and procedures in great detail; to plan and practice the key events; to analyze each step with care and precision as it occurs; and to reflect upon the experience immediately afterward.

CALS is also designed to encourage intensive examination by each person enrolled in the program of his or her own transition from student to lawyer. This examination emphasizes analysis of the personal and interpersonal dimensions of practicing law; the emotions that lawyers encounter, experience and must deal with in the course of working with clients, peers, supervisors and others within and outside the legal system; the process of formulating goals, expanding options, planning strategy and making decisions in the context of ambiguity, urgency and incomplete information; the interrelationship of strategic and ethical issues; and, generally speaking, techniques for enhancing professional self-consciousness and self-education.

Some CALS clients are detained by ICE in facilities that are between one and three hours from Washington. Some students may therefore need to travel to visit their clients. CALS pays for mileage or rental cars so that students are not out of pocket for this travel.

In the Fall semester, orientation begins on the first day of class. In the Spring semester, orientation occurs from Wednesday-Friday of Week 1.

### SELECTION CRITERIA/APPLICATION PROCESS

Complete the general clinic application at <http://apps.law.georgetown.edu/clinic-application/>.

If you list CALS as your “first choice” on the general clinic application, the next steps are to read an informational document providing additional insight into our aspirations and then complete both the general clinic application and the CALS-specific supplemental application. **Please note that CALS’s supplemental application is different from that of other clinics; please see the general clinic application for details and for a link to the questions you will be asked to answer.**

- The informational document is a chapter on Goals from our Office Manual, available now at <https://www.law.georgetown.edu/experiential-learning/clinics/center-for-applied-legal-studies/educational-goals/>

The general application must be submitted online by 12 noon, on April 13, 2020. **The completed supplemental application is due directly to CALS -- by email to [lawcalsclinic@georgetown.edu](mailto:lawcalsclinic@georgetown.edu) – by the same deadline, April 13, 2020, at 12 noon.** You can access this CALS-specific supplemental application via the general clinic application

We make admissions decisions based on your application; we do not interview applicants. Admission is determined in substantial part on the interest, enthusiasm, and experience that the applicant would bring to the Clinic. Factors affecting this judgment may include the applicant’s statement of interest as expressed on the general clinic application form, and the responses on our supplemental application form. **Please note: students who will be federal government employees are, by law, ineligible to participate in this clinic during their period of employment.** Also, students must have at least a 3.1 GPA, as of July before the clinic begins, to take CALS.

# CALS Students Win Asylum for Cameroonian Political Activist

Jasmine\* fled her home country of Cameroon in fear of her life. The Cameroonian government had systematically targeted Jasmine for her political activism in opposition of the long-standing oppressive regime that has ruled Cameroon for decades. For years, Jasmine fought for the rights of women; professional opportunities for young people; increased access to healthcare for all; and greater government transparency. In addition to her political activism, Jasmine worked to advance the rights of small business owners as a member of a trade union. The Cameroonian government jailed Jasmine on multiple occasions in retaliation for her activism. The government also beat, threatened, and tortured Jasmine. After she escaped from jail in 2013, Jasmine had no choice but to leave behind her family, friends, and the business she owned if she wanted to survive. At age 28, Jasmine fled to the United States, where she promptly applied for asylum.

Jasmine was not represented by counsel at her affirmative asylum hearing, and the asylum officer adjudicating her case found her ineligible for asylum. The Asylum Office thus referred Jasmine to Immigration Court, where she would need to defend her case in an adversarial proceeding against a government attorney from the Department of Homeland Security. Despite the life-or-death consequences of asylum cases and the fact that many asylum-seekers lack financial resources, immigrants like Jasmine are not provided with government-funded attorneys. Immigrant respondents often appear *pro se* in immigration court; Jasmine, however, called the Center for Applied Legal Studies (CALS) at Georgetown University Law Center. After conducting an intake with Jasmine, CALS agreed to represent her. In late August 2018, students Grace Paras (2L) and Leah Wisser (3L) were assigned to represent Jasmine in her immigration hearing, which would take place later that semester in November, just before Thanksgiving. Professor Andrew Schoenholtz, the Director of both Georgetown's Human Rights Institute and CALS, supervised Paras and Wisser as they prepared Jasmine's case. After weeks of intense preparation, Paras and Wisser won Jasmine asylum. The Department of Homeland Security waived appeal, meaning Jasmine can remain legally in the United States, with a path to citizenship.

## Searching for Evidence

Like many asylum seekers, Jasmine escaped from Cameroon with very little in her possession, making it difficult to secure the documentary evidence needed to back Jasmine's narrative of her experiences. Immigration judges have discretion when adjudicating cases, and an immigrant respondent's credibility weighs heavily in a judge's decision whether to grant asylum. Paras and Wisser started gathering evidence by contacting Jasmine's family members, friends, and business colleagues in Cameroon via WhatsApp.

Some individuals Paras and Wisser made contact with were too afraid to aid in Jasmine's case, as the Cameroonian government surveils its citizens, especially those who are political dissidents. Others, however, bent over backward to aid Jasmine. For example, one witness who had been in hiding in a remote village due to his own fear of government persecution managed to make his way to a city to print, sign, and send his affidavit to the United States. Paras and Wisser came up with creative strategies to secure affidavits by others, including convincing the court that a signature made on an iPhone using one's finger should be admissible.



CALS student representatives, Grace Paras (left) and Leah Wisser (right) return to the CALS office after submitting their 500+ page document stack to the Arlington Immigration Court.

Paras and Wisser worked with medical and academic experts to create affidavits that would back up Jasmine's case. For example, between Jasmine's escape from her final incarceration in Cameroon and her flight to the United States, she saw a medical doctor, but Paras and Wisser could not locate him. Instead, they worked with a *pro bono* medical expert in Washington, D.C. to examine Jasmine and document the scars and injuries Jasmine suffered at the hands of the government. Additionally, a *pro bono* psychologist examined Jasmine. Two academic experts on Cameroonian government also wrote affidavits on behalf of Jasmine in order to illustrate that the harsh political realities Jasmine described were accurate. Paras and Wisser put the final touches on their brief, affidavits, evidence, and country conditions reports, and delivered them to the Arlington Immigration Court and the Washington Office of Chief Counsel.

### **The Day of the Hearing**

With their documents submitted, Paras and Wisser turned to trial preparation. They met with Jasmine repeatedly to practice direct examination and cross-examination. Jasmine, now highly proficient in English, had to get used to working with an interpreter, as she would testify in court using her best language, French. Charlotte Storch, a 2L at Georgetown Law, served as a *pro bono* interpreter during each case team meeting with Jasmine.

A week before the hearing, CALS arranged for a full moot of the immigration hearing. Professor Schoenholtz played opposing counsel, and CALS clinical fellow Faiza Sayed played the Immigration Judge. Paras and Wisser practiced discussing preliminary matters with the judge, conducting an opening, examining Jasmine on direct and re-direct, defending a cross examination, and delivering their closing statement. Later that week, in their final meeting with Jasmine, Paras and Wisser asked her how she was feeling. They expected Jasmine to share that she was anxious, perhaps even nervous, but instead Jasmine responded, "I feel prepared." With that, the team was ready for their hearing.

The morning of the hearing, Jasmine arrived at Georgetown Law in a beautiful, custom dress made with traditional African fabric in an American-style cut. The dress was the perfect metaphor: Jasmine had pride in her home country and Cameroonian culture, but she was excited to start a life in the United States where she can be politically active without fear.

After a three-hour hearing, which involved Jasmine testifying in detail with strength and poise about some of the most painful experiences of her life, the judge declared he found Jasmine "very credible" and granted her asylum on the grounds that she had been persecuted by the government for her political opinion.

While no longer officially enrolled in CALS, Paras and Wisser continue to represent Jasmine *pro bono* under the supervision of CALS. Currently, they are aiding Jasmine in bringing her oldest daughter, who remains in Cameroon, to the United States.

### **The Impact of CALS**

"CALS was hands-down the most rewarding experience I've had in law school," said Paras. "Working around the clock to seek justice for our client, an amazingly strong woman with a fierce dedication to her political convictions, was extremely motivating." Paras added, "law school can be a fairly independent endeavor, so working side-by-side with Leah was a beautiful experience. We were able to build a form of trust I had not thought possible in a professional setting. Every task we completed was truly a collaborative effort."

"I second Grace's sentiments completely. CALS was the most fulfilling experience of my law school career," Wisser said. "I was in awe each day of Jasmine's resilience and was lucky to be paired with such a hard-working, brilliant partner who quickly became my dear friend." Wisser continued, "at the end of the trial, I thought I would feel elated or at least relieved. Instead, I felt a strong sense of calm wash over me. The outcome we received was right, just, and fair. That was how the legal system was supposed to work and that feeling is what it truly means to be a lawyer."

“CALs students perform such heroic efforts because the cases are so demanding—we carry a significant burden of proof in immigration court,” said Georgetown Law Professor Andy Schoenholtz, who directed the CALS program during the fall semester. “Our students have proven to be incredibly dedicated, sustaining the long hours and creativity necessary to build the case, and learning how to pull it all together in court on the day of the hearing.”

CALS prepares its students for the demands of asylum cases through twice-weekly classes and weekly, student-led case team meetings with a faculty advisor. The classes cover a range of litigation skills, such as interviewing, researching, legal writing, and hearing preparation. Through simulations, students have the opportunity to practice these skills before they have to perform those tasks in their real cases. Classes also cover the “softer” legal skills, such as dealing with some of the psychological pressures that arise when serving survivors of torture and other trauma, time management, collaboration with a partner, and learning to accept responsibility for a client’s case.

The clinic grants ten semester credits. Students meet as a group in class sessions twice per week, where they learn specific skills such as affidavit and brief writing, oral advocacy, making ethical decisions, and evidence collection. Some class sessions are dedicated to workshopping specific issues that have arisen in each other’s cases. Conversations amongst CALS students continue informally in the clinic workroom. Additionally, each pair of students meets with their advisor once per week in case team meetings. Most case teams also meet with their clients about once per week.



In the Fall of 2018, CALS students represented political activists and survivors of gender-based violence, torture, and oppression, from all over the world, including Cameroon, Madagascar, Guinea, and El Salvador.

Professor Andrew Schoenholtz (left) supervised CALS students Leah Wisser (second from left) and Grace Paras (right), who won asylum for their client, Jasmin.

\*Name has been changed to protect her privacy.

## STUDENTS WHO HAVE TAKEN CALS

### CURRENTLY 2L

Amir Ali Azinfar  
Elizabeth Freeman  
Brett Graham  
Allisen Haggard  
Neema Jyothi Prakash  
Shelby McGuire-Smith  
Nicholas Moffa  
Leemah Nasrati  
Brittany Neihardt  
Marianna Quenemoen

Austin Rose  
Pablo Rossenblum  
Gabriel Selting  
Jennifer Sims  
Katherine Skalisky  
Holly Travis

### CURRENTLY 3L or above

Sabiya Ahamed  
Reshma Baig  
Grace Benton  
Kristen Blosser  
Nancy Canales  
Amy Chau  
Elizabeth Crivaro  
Sarah Decker  
Grace DeNoon  
Kathryn Dowling  
Nicole Fauster  
Rachel Finn

Esther Galan  
Carlos Garcia Medina  
Isaac Hoenig  
Kelly Horan  
Cara Palmer  
Grace Paras  
Marissa Priceman  
Hannah Strauss  
Rachel Sumption  
Christian Verhulst  
Ellen Watlington  
Parnia Zahedi

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## CALS CLINIC FACULTY

### ANDREW I. SCHOENHOLTZ

Professor from Practice;  
Co-Director, Center for Applied Legal Studies;  
Director, Human Rights Institute  
B.A., Hamilton; J.D., Harvard; Ph.D., Brown

Andrew I. Schoenholtz is a Professor from Practice at Georgetown Law, where he co-directs the Center for Applied Legal Studies, the asylum clinic in which students represent refugees fleeing persecution who seek asylum in the United States. He also directs the Human Rights Institute and the Certificate in Refugees and Humanitarian Emergencies. He has taught courses on Refugee Law and Policy, Refugees and Humanitarian Emergencies, and Immigration Law and Policy, as well as a practicum on the rights of detained immigrants. Prior to teaching at Georgetown, Professor Schoenholtz served as Deputy Director of the US Commission on Immigration Reform. He also practiced immigration, asylum, and international law with the Washington, DC law firm of Covington & Burling. He has conducted fact-finding missions in Haiti, Cuba, Ecuador, Germany, Croatia, Bosnia, Malawi, and



Zambia to study root causes of forced migration, refugee protection, long-term solutions to mass migration emergencies, and humanitarian relief operations.

Professor Schoenholtz researches and writes regularly on refugee law and policy. His publications include: *The Promise and Challenge of Humanitarian Protection in the United States: Making Temporary Protected Status Work as a Safe Haven*; *The New Refugees and the Old Treaty: Persecutors and Persecuted in the Twenty-First Century*; *Lives in the Balance: Asylum Adjudication by the Department of Homeland Security* (co-author); *Rejecting Refugees: Homeland Security's Administration of the One-Year Bar to Asylum* (co-author); *Refugee Roulette: Disparities in Asylum Adjudication* (co-author); *Refugee Protection in the United States Post-September 11th*; *The Uprooted: Improving Humanitarian Responses to Forced Migration* (chapter on "Improving Legal Frameworks"); and *Aiding and Abetting Persecutors: The Seizure and Return of Haitian Refugees in Violation of the UN Refugee Convention and Protocol*.

### PHILIP G. SCHRAG

Delaney Family Professor of Public Interest Law;  
Co-Director, Center for Applied Legal Studies  
A.B., Harvard; LL.B., Yale

Professor Schrag teaches Civil Procedure and Professional Responsibility, and he directs the Center for Applied Legal Studies, in which students represent refugees who are seeking political asylum in the United States. Before joining the Law Center faculty in 1981, he was assistant counsel to the NAACP Legal Defense Educational Fund, Consumer Advocate of the City of New York, a professor at Columbia University Law School, and Deputy General Counsel of the U.S. Arms Control and Disarmament Agency, from which he received a Meritorious Honor Award in 1981. Professor Schrag has also had a distinguished and varied career in civic service, which has included positions as a delegate to the District of Columbia Statehood Constitutional Convention in 1982, an editor and consultant on consumer protection during the Carter-Mondale transition, a consultant to the New York State Consumer Protection Board, a consultant to the Governor's Advisory Council of Puerto Rico, and an Academic Specialist for the United States Information Agency in the Czech Republic and Hungary. In addition, he drafted New York City's Consumer Protection Act of 1969. He is also a prolific author, having written dozens of articles on consumer law, nuclear arms control, political asylum, legal education, and various other topics for both law journals and popular publications. He is the author of sixteen books, including *A Well-founded Fear: The Congressional Battle to Save Political Asylum in America* (Routledge, 2000); *Asylum Denied: A Refugee's Struggle for Safety in America* (with Kenney, Univ. of Calif. Press 2008); *Refugee Roulette: Disparities in Asylum Adjudication and Proposals for Reform* (with Ramji-Nogales and Schoenholtz, N.Y.U. Press, 2009), *Lives in the Balance: Asylum Adjudication by the Department of Homeland Security* (with Ramji-Nogales and Schoenholtz, N.Y.U. Press, 2014), and *Baby Jails: The Fight to End the Incarceration of Refugee Children in America* (Univ. of Calif. Press, 2020). In 2008, he was honored with the Deborah C. Rhode award for public service; the Daniel Levy Memorial Award for outstanding achievement in immigration law; the Equal Justice Works Outstanding Law Faculty Award; and the Myers Outstanding Book Award for *Asylum Denied*. In 2013, he received the William Pincus Award for Outstanding Contributions to Clinical Legal Education. In 2014-15 he was awarded Georgetown University's Presidential Award for Distinguished Teacher-Scholars.



### DEENA N. SHARUK

B.A. Wellesley College, J.D., Northeastern University School of Law

Before coming to Georgetown, Deena was a Staff Attorney at the Immigrant Advocacy Program at the Legal Aid Justice Center (LAJC) and Lecturer at the University of Virginia School of Law (UVA). At LAJC, Deena managed the Special Immigrant Juvenile Project, where she represented and coordinated the pro bono representation of abandoned, neglected, and abused immigrant children throughout the state of Virginia. Through a partnership between UVA and LAJC, Deena led the UVA Immigration Law Clinic, guiding students through representation of immigrants in a variety of matters including removal proceedings, defensive and affirmative asylum, and federal litigation.

Deena also taught U.S. Refugee and Asylum Law at UVA. Deena was one of the Core Team Members of the Welcoming Greater Charlottesville Task Force, seeking to make the greater Charlottesville area more welcoming to immigrants and people of color. She is a member of the Massachusetts and Virginia Bars.



Prior to her work at LAJC, Deena practiced immigration law in both Virginia and Massachusetts. She was also a fellow at the American Civil Liberties Union of Massachusetts where she conducted research on civil liberties issues arising from the war on terror and the militarization of local police forces. Deena received her J.D. from Northeastern University School of Law, where she was a Dean's Scholar, Recipient of the Melvin R. Wintman Scholarship, and was selected as a Commencement Speaker. She received her B.A. in International Relations from Wellesley College. Deena speaks Spanish and Arabic.

ALISON J. COUTIFARIS

B.A., Haverford College; J.D., University of Pennsylvania Carey Law School

Before joining the Law Center as a clinical teaching fellow, Alison was a Crime Victims Justice Corps Fellow at HIAS Pennsylvania, representing immigrant survivors of domestic violence and sexual assault in immigration matters, including asylum, U visas, Violence Against Women Act petitions, applications for permanent residency, and citizenship.

Previously, Alison was a Senior Staff Attorney at Sanctuary for Families (Sanctuary). At Sanctuary, Alison managed and supervised the asylum practice group, supervising pro bono attorneys on affirmative and defensive asylum applications. Alison also provided direct representation to immigrant survivors of domestic violence. Through a partnership with Columbia and Brooklyn Law Schools, Alison supervised student-led U Visa clinics, guiding law students through the representation of immigrant survivors of crime in New York City.



Alison served as a law clerk for the Hon. Denny Chin on the U.S. Court of Appeals for the Second Circuit. Immediately after law school, she practiced federal income tax law as an associate at Cleary Gottlieb Steen & Hamilton. Alison received her J.D., *magna cum laude*, from University of Pennsylvania Carey Law School, where she received the Chertcoff Prize for Excellence in Taxation and the Exemplary Pro Bono Service Award. She received her B.A. in Anthropology and Spanish Literature (honors) from Haverford College. Alison speaks Spanish.