

# CENTER FOR APPLIED LEGAL STUDIES

CALS applicants must complete both the general clinic application and a CALS-specific supplemental application.

Faculty	Prof. Andrew Schoenholtz (Fall 2021), Prof. Philip Schrag (Spring 2022), and Fellows Alison Coutifaris and Jocelyn Cazares.
What do students do	Students provide pro bono representation in federal immigration court or the Arlington Asylum Office for refugees who seek the safety of asylum in the United States.
Semester or year-long	One semester, Fall or Spring
Open to	All who will be 2d, 3d or 4th years J.D. students with at least 30 credits and 3.1 GPA as of July before clinic begins
Prerequisite(s)	All first year courses
Credits	10 We highly 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 who will have part-time or full-time jobs with the Federal government are ineligible for this clinic during the semester in which they are employed.
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	Wednesday afternoons and a time on Fridays to be determined by the law school's schedule
Orientation	In the Fall semester, orientation begins on the first day of class. In the Spring semester, orientation occurs during Week 1.
Information session(s)	Tuesday, March 30, 3:00 – 4:00 pm via Zoom. Please reach out to Fatima Beri at <a href="mailto:fb573@georgetown.edu">fb573@georgetown.edu</a> to receive the link. If you are unable to attend, you can request a recording from Fatima Beri. In addition, feel free to visit our website or e-mail us at <a href="mailto:lawcalsclinic@georgetown.edu">lawcalsclinic@georgetown.edu</a> .

## A WELL-FOUNDED FEAR

In 2021-2022, the Center for Applied Legal Studies (CALs) will continue its international human rights project. Students will provide the 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 frequently 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 the 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 prepare students for each of the case-handling tasks through various 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 their 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. (CALS has been unable to represent detained clients during the COVID-19 pandemic).

In the Fall semester, orientation begins on the first day of class. In the Spring semester, orientation occurs during Week 1.

### SELECTION CRITERIA/APPLICATION PROCESS

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

Suppose you list CALS as your “first choice” on the general clinic application. In that case, 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 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 and CALS supplemental application must be submitted online by **12 noon on Monday, April 12, 2021**. 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 by 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.

# 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 to 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's asylum. The Department of Homeland Security waived the 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 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 felt. 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 3E, 3L or above

Amir Ali Azinfar	Brittany Neihardt
Nicholas Conlon	Marianna Quenemoen
Nora Danielson Lanier	Carly Reed
Asmita Deswal	William Rice
Danielle Flanagan	Austin Rose
Elizabeth Freeman	Pablo Rossenblum
Brett Graham	Harry Samuels
Allisen Haggard	Gabriel Selting
Neema Jyothisprakash	Michelle Shapiro
Shelby McGuire-Smith	Katherine Skalisky
Nicholas Moffa	Hamdi Soysal
Leemah Nasrati	Holly Travis

### CURRENTLY 2L

David Blumenthal	Eleanor Hildebrandt
Amelia Dagen	Jack Hsia
Tess Davey	Lisa Ledvora
Anashua Dutta	Angel Scales
Thomas Gooding	Samuel Singleton-Freeman
Erin Griffard	Bhaavya Sinha
Naveed Hada	Katie Wiese
Rose Hayden	

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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  
B.A., 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.



### 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.

### JOCELYN CAZARES

B.A. University of California, Berkeley, J.D. Columbia Law School

Before joining the CALS team at Georgetown, Jocelyn was a Senior Attorney at the Capital Area Immigrants' Rights Coalition (CAIR). At CAIR, Jocelyn mentored, taught, and supported a wide range of legal advocates and pro se litigants in various immigration matters, including asylum, withholding of removal, protection under the Convention against Torture, Cancellation of Removal, adjustment of status, U and T visas, bond, motions to reopen, and appeals. As part of the Legal Orientation Program, Jocelyn managed stakeholder relationships at Caroline County Detention Facility, Howard County Detention Center, and Worcester County Detention Center to ensure access to meaningful legal services to detained individuals, including providing key information and assistance to pro se individuals through group and individual orientations to help them navigate the immigration court system. Jocelyn also led the Caroline County Anonymous Grant which provided legal representation to individuals detained at the Caroline County Detention Facility. As part of the grant Jocelyn represented numerous individuals in a wide array of defensive applications for relief in their removal proceedings and release from detention facility, including one of the first successful challenges to the application of the Third Country Transit Ban for an individual who was subject to the ban due to the contested metering practice at the US-Mexico Border.



Prior to her work at CAIR, Jocelyn represented a wide array of individuals in both affirmative and defensive applications, including individuals impacted by the family separation policy, individuals deemed “mentally incompetent” by the immigration court in removal proceedings as part of the National Qualified Representation Program, and unaccompanied children through her work with Esperanza Immigrants’ Right Project and Public Counsel. She also spent extensive time working at various indigent defense offices, including the Los Angeles County Public Defender Office, Harlem Neighborhood Defender Service, and Bronx Defenders. Jocelyn received her J.D. from Columbia Law School, where she was a 2016 and 2017 Harlan Fiske Stone Scholar and awarded the Lowenstein Fellowship due to her extraordinary commitment to social justice and human rights. She received her B.A. in Anthropology with a minor in English from the University of California, Berkeley. Jocelyn is a native Spanish speaker.