Helping family trees plant roots

For many at DePaul clinic, finding paths to asylum and immigration is personal work

BY JACK SILVERSTEIN
Law Bulletin staff writer

There's a scene in "The Godfather" when Vito Corleone meets with Nazorine, the baker.

The two men discuss the fate of Enzo, an Italian soldier captured during World War II and sent to New York to assist the American war effort with a job at Nazorine's bakery. When the war ends, the U.S. wants to send Enzo back to Italy.

"Godfather," Nazorine pleads, "I have a daughter. You see, she and Enzo ..."

Corleone finishes the thought.

"You want Enzo to stay in this country and you want your daughter to be married," Corleone says.

It was Nazorine's best option in this fictional world of 1945 New York.

Had he been in Chicago in 2014, however, he could instead call upon the Asylum and Immigration Clinic at DePaul University College of Law.

Founded in 1996, the clinic works with about 16 students per semester to provide direct pro bono representation to clients in immigration and asylum matters, such as people facing deportation.

More recently, it's been helping immigrants in need of support from Deferred Action for Childhood Arrivals, the Obama administration initiative that grants temporary asylum to immigrants brought to the U.S. as children.

The clinic also provides support to 26 organizations that serve Chicago's immigrant population.

For many involved in the clinic, participation is personal.

"I'm a child of immigrants, and I grew up in a vibrant immigrant community in Houston," said Sioban L. Albiol, the clinic's coordinator and one of its three instructors.

Albiol's parents came to America in the 1950s — her mother is Irish, her father is Spanish.

After earning her J.D. in 1994 from Loyola University Chicago School of Law, Albiol worked for Prairie State Legal Services and then the organization now known as the National Immigrant Justice Center.

She joined DePaul in 2001 to work for the clinic. In fiscal year 2014, it responded to more than 1,000 requests for assistance.

University of Chicago Law School and IIT Chicago-Kent College of Law also offer clinical programs in immigration law.

This week, DePaul's clinic issued a 40-page report on Illinois' certification of the U-visa, which protects non-citizens — known in the field as people "without status" — from deportation to encourage them to come forward with information about crimes in the U.S.

"If you can't get a certification, there's no incentive to report crime," clinic attorney Sarah Jean Diaz said. "The failure to certify undermines the public trust in law enforcement and undermines law enforcement's ability to detect crime."

The report's importance extends beyond its content. For the four students who worked with Diaz, writing the report meant honing collaborative skills.

"It's a legal skill that I think is underappreciated in terms of understanding how we can collaborate to work together to effectuate the best possible results as a community," Diaz said.

Diaz and her students wrote the report as part of the immigration advocacy clinic, one of four parts of the overall clinic. Diaz co-teaches the technical assistance component with Angelica M. Lopez, Lopez teaches a detainee clinic and Albiol instructs the asylum clinic.

"There was no cutting corners. It was very by-the-book down to the tiniest detail. How to keep a folder. How to keep it organized. How to meet a client. How to sit with them so they don't feel threatened and feel they can tell their story."

Third-year student Ana Valenzuela — who worked with Diaz on the U-visa report — and alumna Erin C. Cobb also have personal stakes in the clinic. Valenzuela's parents are both Mexican immigrants, and her father crossed the border alone as a 15-year-old.

Cobb's mother emigrated from West Germany with Cobb's grandfather, while Cobb's grandfather emigrated from Poland.

Valenzuela and Cobb chose DePaul for its clinic and the school's connections to the city's immigrant community, which they thought would help them find work.

"I had an opportunity to meet and talk to numerous immigration attorneys in Chicago," Valenzuela said. "I noticed that many of them came from DePaul."

Alumna Gretchen H. Ekerdt received an even more direct endorsement from a DePaul professor she met at a recruiting program.

"If you want to do public interest law, come here," he told Ekerdt.

She did, and the networking opportunities led her to Maria Baldini-Potermyn & Associates PC, where she now works.

Cobb got her job at Kriezelman, Burton & Associates LLC through Albiol's connections. "Sioban knows everyone," Cobb said. "And not just Sioban. Other staff of the clinic know almost everyone in the immigration community."

Rebecca Carson is in that network. She is an alumna who served as chief of staff at U.S. Citizenship and Immigration Services and now runs Star Immigration Strategies in Highland Park.

"The highlight of my law school experience was the Asylum and Immigration Clinic, by far," Carson said. "There was no cutting corners. It was very by-the-book down to the tiniest detail. How to keep a folder. How to keep it organized. How to meet a client. How to sit with them so they don't feel threatened and feel they can tell their story."

With the nuts-and-bolts of the legal practice came a mastery of immigration law.

Cobb recalls helping two victims of domestic violence self-petition for asylum so they wouldn't have to depend on their abusers for their immigration status. Those cases can be challenging because the victim must prove that the marriage was in good faith and that the couple lives together.

"In abusive situations, the abuser may not have given the spouse access to the bank account, the bills, the lease — so they may not have documentation to show they were living together," Cobb said.

Those two cases had happy endings — Cobb and her colleagues used the Violence Against Women Act to ensure the victims' rights to self-petition.

For Albiol, Carson, Cobb, Diaz, Ekerdt and Valenzuela, success stories like that make the clinic an offer they can't refuse.

jsilverstein@lbpc.com