



ILAP

The Immigrant BEACON

IMMIGRANT LEGAL ADVOCACY PROJECT

SUMMER 2013

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Our Mission:

The Immigrant Legal Advocacy Project helps low-income immigrants improve their legal status and works for more just and humane laws and policies affecting immigrants.



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Cele Soirée
A Resounding
Success!
(page 4)

Comprehensive Immigration Reform What Would It Mean for Mainers?

In what other context could America's core values of family, human rights, economic progress and cultural diversity be combined together in one important piece of legislation? Comprehensive immigration reform is not only important to our country, but it is also the key to Maine's future. Census data shows that Maine's foreign-born population grew by 20% from 2000 to 2010. At the same time the ratio of seniors to working-age adults in Maine is expected to increase by 93% over the next two decades. Immigrants, who generally arrive as young adults, are a growing segment of our population and will be essential for Maine's future.

Whether coming to the United States based on family or employment, or because they are

seeking protection from human rights abuses, immigrants share the characteristics of courage, tenacity and determination. These qualities bring vitality, creative ingenuity and economic growth to our state. Maine will not benefit from these talents unless those who contribute to our community can gain legal status. Our future will depend on modernized immigration laws that reflect the fundamental importance of family unity and human rights in our democracy, as well as our economic reality.

The story of ILAP's client Maricel illustrates the impact immigration reform might have in Maine.

Maricel came to the United States as a young child with her parents, seeking a better life. They moved to Maine and her parents worked

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A Message from Our Board President

On behalf of ILAP and its Board of Directors, I would like to express our gratitude to Ron Kreisman for his valuable contributions to ILAP. Over the last year, Ron worked tirelessly to strengthen the organization and we sincerely appreciate his efforts. **The Board is delighted to announce that Sue Roche has been appointed the Interim Executive Director during this time of transition.**

Sue was the first staff attorney hired by ILAP in 2000, became the Supervising Attorney in 2003, and has served as ILAP's Legal Director since March of 2011.

Her comprehensive understanding of both the operations of the organization and immigration law will keep ILAP moving down a successful path.



Jennifer Archer,
President
ILAP Board of Directors

With immigration reform in the air in Washington (see cover story), it is a great pleasure to be leading ILAP's talented staff during this time of transition. I am amazed every day by our staff's intellect, commitment, and passion.



Whether consulting with a client, helping someone complete a citizenship application, following legislation, or providing outreach to immigrant groups and service providers, ILAP's staff works tirelessly to meet the changing needs of immigrants in Maine. We currently have nine staff members with a total of 37 years of service to ILAP. This combined breadth of experience and institutional strength allows us to work collaboratively and effectively with clients and service providers throughout the State.

As optimists, we expect to see a new immigration bill pass in Congress this year, and Mainers will be counting on ILAP to educate them on the legal changes, and to assist those who qualify to apply for new immigration status. We are poised to meet this challenge and to ensure that all of Maine's immigrants are able to access the rights and opportunities afforded to them by the new law.



Susan Roche
Interim Executive Director

ILAP BY THE NUMBERS IN 2012

3,641 individuals were served through ILAP's Immigration Clinic, Full Representation, and Education and Outreach programs.

Full legal representation was provided to 488 individuals by ILAP staff or *pro bono* attorneys.

98.6% of applications for full representation clients were approved.

Education and outreach events reached **more than 500 individuals**.

ILAP clients originated from **more than 90 countries**.

ILAP assisted clients from all **16 counties in Maine**.

Pro bono panel attorneys contributed **7,049 hours of expert legal assistance valued at \$1,609,010**.

CLIENT STORY



Willy with his wife Dawn and their children

Willy and Dawn: 10 EXTRA YEARS TOGETHER

Willy was in the process of becoming a minister in Guatemala when he made the difficult decision to come to the United States. He needed to support an ailing relative, but the extreme poverty and isolation in his native country compelled him to leave in order to do so. Ineligible for a visa to come to the U.S. legally, he entered without legal status in 2007. Not everything about Willy's life changed; he remained devoted to his religious beliefs, hard work, and his family.

Willy moved to Maine, where he eventually met Dawn, a U.S. citizen. The two fell in love and later married. Willy quickly grew attached to Dawn's son from a previous marriage, and he and Dawn had a daughter of their own in 2011. Willy became the primary caregiver for these two children, while Dawn has provided for the family financially. The couple came to ILAP in March of 2011 to learn about their options for Willy to seek legal status through Dawn.

ILAP's Andi Summers, who is accredited by the Board of Immigration Appeals to represent immigrants, explained the immigration process to Willy and Dawn. **Willy would have to return to Guatemala for his immigrant visa and, because he originally entered the U.S. without a visa, he would be barred from reentering the U.S. for ten years.** The couple was stunned to learn that Willy might have to be separated from his wife and children for a decade due to this law, which affects innumerable families across the U.S. In rare cases, the ten-year bar can be waived if "extreme hardship" can be proven. Willy and Dawn worked diligently with Andi to assemble evidence to show why Willy's extended absence would cause their family extreme hardship, such as that Willy is the primary caretaker for the children, and that Dawn and the children would be unable to accompany Willy to Guatemala, due

to custody issues with Dawn's son, and Dawn's language and employment barriers.

It was not easy for Dawn and Willy to choose to move forward with the process since the waiver application could only be filed by Willy at the U.S. Consulate in Guatemala, and if denied, he would have to remain there for ten years. They trusted Andi to thoroughly prepare the waiver application, and ultimately, their case was approved. Willy was back in the U.S. after about nine months in Guatemala, rather than ten long years. Now a Legal Permanent Resident of the U.S., Willy is able to live and work without fear of deportation or separation from his family.

ILAP is proud of our role in Willy and Dawn's happy ending, and we wish their family all the best! ■

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CeleSoirée 2013

A Celebration of Immigration Through the Performing Arts



BATIMBO
beats



PICHINTU
chorus



richard
BLANCO



FATUMA
hussein

CeleSoirée 2013 drew a sellout crowd of 500-plus on April 12th at USM's Hannaford Hall.

The evening began with the Cuban rhythms of Plátano Macho during the reception, where guests enjoyed food, drinks, and art by local immigrants.

The program that followed celebrated the immigrant experience with a welcome by Portland Mayor Michael Brennan, songs from the Pihcintu Multinational Children's Chorus, the energetic drumming of the Burundian Batimbo Beats Drummers, and a rousing reminder by Fatuma Hussein, executive director of United Somali Women of Maine, that immigrants contribute greatly to Maine's economic, cultural and social vitality. Bethel resident and Inaugural Poet, Richard Blanco, who immigrated with his parents to the United States from Cuba via Spain, mesmerized the audience with his poetry, telling the bittersweet story of his family's immigration odyssey.

This year's CeleSoirée featured a new venue and format. Just prior to the event, members of ILAP's India Street Society gathered for an informal "Q & A" with Richard Blanco and Maxell Chikuta,



"The speeches were heartfelt and I learned a lot about ILAP and am incredibly humbled by the powerful work you are doing."



"Richard Blanco's poems were beautiful."

a former ILAP client. And, instead of the expansive silent auction of previous years, CeleSoirée 2013 closed with a brief live auction, including a "reverse auction" that allowed bidders to make contributions of \$100 or more toward a much-needed new phone system for ILAP. Following CeleSoirée, Richard Blanco donated signed copies of his Inaugural Poem, "One Day," as incentives for gifts to complete the phone system campaign.

Thanks to the generosity of Richard Blanco and many donors, ILAP's "Phone Campaign" was a success! We have surpassed the \$7,000 goal, and will soon have a more robust phone system that will serve ILAP for many years to come.

Thanks to everyone who participated in this campaign!

We've been gratified to receive positive feedback from attendees about the event and its new format. In addition to the event's speakers and performers, we thank all of the volunteers, donors, sponsors, and staff members for making CeleSoirée 2013 a wonderful affirmation of ILAP's mission and work and of the importance of immigrants in Maine.

All proceeds from the event support ILAP's free and low-fee legal aid and advocacy for low-income Maine immigrants and their families statewide.

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Promotional Design: Emma Lockwood, Graphic Designer
Sculptural Light Installation: Pandora LaCasse Design

It takes a village ...

Merci beaucoup to our Event Volunteers

Sue Andersen	Bistra Nikiforova
Cynthia Arn	Kasia Park
Meg Bryan	Wes Pelletier
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Jenna Clifford	Damir Porobic
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Rachel Helm	Blanca Santiago
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Robin Lea	Jill Welch
Carrie Losneck	Celeste Young
Molly McMahon	

Muchas gracias to the CeleSoirée Steering Committee

Carol Gipson	Leslie Pohl
Peter Landis	Sam Saltonstall
Emma Lockwood	Ron Stegall
Sally Newhall	Erin Tolan

MID-WINTER
**“FRIEND-RAISER”
A SUCCESS!**

In February, members of ILAP's India Street Society (ISS) were invited to bring prospective new ISS members to “Friend-Raiser” events in Deer Isle and Portland to learn about ILAP's work helping immigrants who seek safety, stability and self-sufficiency for themselves and their families.

Many thanks to ILAP board member, Ron Stegall, for hosting these lively evenings which included a cooking demonstration, food tasting, and wine sampling. Famed French Chef, Jean Claude Justin, and his partner, Ignacio Megia, from Colombia, brought skills and vitality from their restaurant and cooking school, L'Atelier, in southern Spain. All attendees received printed copies of the recipes and freshly made pots of Spanish orange marmalade.

With your support and ideas, the India Street Society would like to repeat this kind of event in the months ahead. The recipe is simple: Decide to focus on a particular ethnic cuisine, find skilled people to prepare a spectacular meal, add appropriate music and a festive spirit, and invite adventurous guests. With any luck, the results will provide a unique culinary experience and build the ISS community at the same time! ■



THE INDIA STREET SOCIETY

With an annual gift of \$300 or more, you may join ILAP's India Street Society, an informal association of individuals and families who, through their annual giving, provide crucial financial leadership in helping ILAP accomplish its mission.

You may join the India Street Society online at www.ilapmaine.org and clicking “Get Involved.”



Volunteer Appreciation Event

ILAP expressed its love, in true Valentine's Day fashion, for a fantastic team of volunteers at our annual volunteer celebration on February 12th at the Local Buzz in Cape Elizabeth. **Our Pro Bono Firm of the Year award went to Kelly, Rimmel & Zimmerman**, whose three attorneys on ILAP's Pro Bono Asylum Panel took on seven asylum cases in 2012 and donated over 400 hours of their time.

Sal Savatteri, Esq., was chosen as our Pro Bono attorney of the year for his exemplary service conducting 19 pro bono Know Your Rights presentations for detained immigrants at Cumberland County Jail.

Barbara A. Vestal, Esq. of Chester & Vestal, and Rodney A. Shain, Esq. of Sanford were awarded Pro Bono Attorney Collaboration awards for their partnerships with ILAP in client cases with family law issues.

Also among our honored volunteers were **Erin Tolan as CeleSoirée Volunteer, Molly McMahon and Paul Revier as Community Volunteers, Mary Stockmeyer as Intake Volunteer, and Meg Moran as Legal Volunteer.** Our annual celebration is just a small token of our overwhelming appreciation of our dedicated volunteers, who are essential to ILAP's capacity to serve over 3,000 clients a year!

**PRO
BONO**

**PANEL
UPDATE**

Asylum Cases Granted

Many thanks to the following ILAP Pro Bono Panel attorneys who won their clients' asylum cases earlier in 2013, enabling their clients to stay in the U.S., safe from persecution:

Sally Curran won an asylum case for a woman from Djibouti.

Catherine Lindgren won an asylum case for a woman from Democratic Republic of Congo.

Jen Archer of Kelly, Rimmel and Zimmerman won asylum cases for a family of six from Democratic Republic of Congo.

Jack Montgomery of Bernstein Shur won asylum cases for five children from Djibouti.

ILAP Pro Bono Asylum Panel Training Held at Verrill Dana

On May 10th, the law firm of Verrill Dana graciously hosted an ILAP training attended by more than 30 attorneys. In addition to presentations on asylum law and defensive asylum procedure, the event closed with a panel presentation on best practices before the Boston Immigration Court, with the **Honorable Paul Gagnon, Court Administrator Bob Halpin, and with Jack Montgomery, shareholder at Bernstein Shur, as guest panelists. Additional faculty included Jennifer Archer, shareholder at Kelly, Rimmel & Zimmerman and current president of ILAP's Board of Directors, and Anna Welch, Libra Visiting Professor at University of Maine School of Law and director of Maine Law's Refugee and Human Rights Clinic.** We are extremely grateful to all of the presenters for their contributions to enhancing the skills of our volunteer attorneys representing ILAP clients seeking asylum.

Note: If you missed the training, a recorded version will be available. Please contact Noël Young, ILAP's Asylum Coordinator Attorney, at 207-780-1593, x 105 or nyoung@ilapmaine.org.

Two New Members Joined ILAP's Pro Bono Panel

Welcome to Rachel Wertheimer of Verrill Dana and Paul Aranson, bringing the total number of panel members to 116!

MELTING

POT

■ **Bienvenue to ILAP's new Development Director, Loretta Prescott.** Loretta comes to us with 14 years of experience in fundraising and development and is enthusiastic to put her skills and creativity to work for ILAP. Bon voyage to **Carol Gipson**, who has moved on to new adventures in Bellingham, Washington with her husband. We are grateful for her sage advice and dedication to ILAP's mission.

■ **Goodbye and muchísimas gracias to our departing volunteers:** law school extern Katie Narbus, Sarah Labbé and Benjamin Dyer. Here's to all of our volunteers; we couldn't do it without you!

■ **A fond farewell and thank you to Mama Oye Anoff Ntow** as she leaves ILAP's Board of Directors, and **welcome to our newest Board member, Amy Donahoe Bruning.** Amy worked in finance and administration for Preble Street for 19 years and has served on several nonprofit boards.

■ **Bienvenidos to ILAP's fabulous new volunteers:** Jeff Exil, Simon Craven, Andrea Navarro, Lynne Shulman, Annee Tara, Mohamed Yusuf Mohamed, and Wes Pelletier. **We're also thrilled to welcome aboard our summer interns:** Julia Bialek of the University of Massachusetts at Amherst, Olivia Reed of Bowdoin College, Lauren Nevin of Williams College, and Jill Cramer of the University of Maine School of Law.

■ **ILAP Staff Attorney, Jennifer Bailey, met with representatives from Senators Collins' and Senator King's District offices** to express ILAP's support for and concern with certain aspects of the pending Senate legislation on Comprehensive Immigration Reform.

■ ILAP's Accredited Representative **Andi Summers** traveled to D.C. on June 18th with a Maine delegation to attend an event hosted by "**We Belong Together,**" an organization advocating for immigration reform that focuses on the law's effects on women and families. On Capitol Hill, the group held a press conference, legislative visits, and a briefing before gathering to discuss field plans for immigration reform advocacy.

■ **Farewell and nasiib wacan (good luck!) to Muna Hassan,** ILAP's Clinic Paralegal since July 2010. Muna will be attending the University of St. Thomas School of Law in Minnesota. ILAP's current Legal Program Associate, **Christina Starr,** will be taking Muna's place as Clinic Paralegal.

■ **LEWISTON FIRES** Following the recent catastrophic residential fires in Lewiston, ILAP held an outreach event at the city's Multipurpose Center on June 10th to help victims complete applications to replace lost immigration documents. ILAP staff **Andi Summers, Noël Young, and Muna Hassan** assisted individuals in replacing "green cards," work permits, I-94 Arrival/Departure records, and citizenship certificates.

JVC SPOTLIGHT

Since 2011, ILAP has had an intern relationship with the **Jesuit Volunteer Corps (JVC),** where we have gained the full-time services of a smart, highly-motivated, thoroughly responsible post-college intern.

■ Special thanks to the **Broad Reach Fund** for providing a match grant for ILAP's 2013-2014 JVC position; to **Cynthia Murray-Beliveau,** who helped us raise the matching funds; **and to the generous donors who contributed!** The JVC position allows ILAP to expand our capacity to meet the critical needs of immigrants in Maine.

■ A huge thank you and adieu to our outgoing Jesuit Volunteer, **Maddie Krezowski,** who has been with ILAP since last August. Maddie will be traveling to Germany before attending The College of William and Mary in Williamsburg, Virginia to study law. We wish her all the best in her studies!

■ A simultaneous welcome to **Zachary Anderson,** ILAP's 2013-2014 Jesuit Volunteer. Zachary is a 2013 graduate of Colorado College, where he majored in International Political Economy. We are excited to have Zachary aboard.

ILAP Immersed in Advocacy on Senate **Bill S.744**

AS THIS NEWSLETTER goes to press, the Senate has just passed S.744, the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013, with a vote of 68 to 32, and the bill was supported by both of Maine's Senators.

Since the bi-partisan "Gang of Eight" drafted S.744, ILAP staff have been closely following the legislative process, and educating the public on the bill's components and the impact the new law would have on Maine's immigrants.

Along with partners in the Maine Immigrant Rights Coalition (MIRC), ILAP has been at the forefront of advocacy efforts to ensure that Maine's delegation understands and supports the bill. Advocacy around the legislation has been a truly collaborative effort here in Maine, with participation from advocacy, grassroots and immigrant organizations; legal and social service providers; labor and business representatives, and faith-based groups. This wide-ranging support shows that Maine and America are ready for, and need, immigration reform!

The bill is not perfect and ILAP remains concerned about some provisions, including: border security triggers that would create a militarized border, encourage racial profiling, and place barriers to the path to citizenship; a reduction in the number of family-based visas, including the elimination of visas for US Citizens filing for siblings and married children over 31; and additional grounds of deportability.

The bill provides an historic opportunity to modernize our broken immigration system for the first time in a generation.

As the bill goes on to the House, ILAP and our partners will continue to advocate for fair and meaningful reform that addresses the problems with our broken immigration system. For current updates and more information on the bill, visit ILAP's website at www.ilapmaine.org or follow us on facebook. ■

To the right are a few of the key components

ILAP supports that would have a major impact on immigrants in Maine:

- **Legal status and a path towards citizenship for 11 million people who are already part of our community and economy, starting with a temporary "Registered Provisional Status" and the opportunity to apply for permanent resident status after 10 years, if certain requirements are met.**
- **More protections under the asylum laws for those who flee persecution, removing of the one-year filing deadline and eliminating some obstacles for asylum seekers to obtain work permits.**
- **Reduction in backlogs and waiting periods for those immigrating based on family and employment relationships.**
- **Due process improvements, including alternatives to detention, court-appointed attorneys in immigration court for some vulnerable individuals and more discretion for immigration judges and adjudicators.**

Congress Reauthorizes the Violence Against Women Act

After delaying for more than a year, Congress finally passed the Violence Against Women Reauthorization Act of 2013 (VAWA 2013), combined with the Trafficking Victims Protection Reauthorization Act (TVPRA), on March 7, 2013. **VAWA, originally enacted in 1994, provides permanent legal status to immigrant victims of domestic violence who are married to U.S. citizens or permanent residents.** The TVPRA provides legal status (“U” and “T” visas) for immigrant victims of certain crimes and human trafficking. VAWA 2013 improves upon the prior law by including broader eligibility for children of U visa holders who previously would “age out” of eligibility while waiting for immigration processing, and by expanding U visa eligibility to victims of stalking and victims of fraud in foreign labor contracting. ILAP represents clients in VAWA, U and T visa cases, and these changes will greatly improve these vulnerable individuals’ ability to obtain legal status and remain in the United States.

Comprehensive Immigration Reform, What Would It Mean for Mainers?

Continued from Cover

hard, becoming supervisors on a farm Downeast. Maricel grew up in Maine schools and considered herself an American. She got straight A’s and won several awards. Her lack of legal status was the only barrier to college and a future. Luckily for Maricel, President Obama’s announcement of DACA (Deferred Action for Childhood Arrivals) coincided with her high school graduation, and she was granted status under the program, which is temporary and could end in deportation after two years. If the immigration reform bill passes, Maricel would have an expedited path towards citizenship, and her parents would have an opportunity to obtain legal status and gain the stability they need to make their lives permanent in Maine.

Passing comprehensive immigration reform will have a significant impact on individuals like Maricel and her family, and it will benefit us as a state. When immigrants are able to become full participants in Maine’s economy and community, we all benefit.

Supreme Court Strikes Down DOMA, Opening the Door for Same-Sex Foreign Spouses to Immigrate!

On June 26, 2013, in *United States v. Windsor*, the Supreme Court struck down the federal Defense of Marriage Act (DOMA), finding it unconstitutional. DOMA defined marriage to be only between a man and a woman for purposes of all federal statutes, including the immigration laws. Therefore, U.S. citizens or permanent residents who were legally married abroad or in states where same-sex marriage is legal, such as Maine, could not petition for their foreign-born spouses to obtain permanent legal status in the U.S. through the marriage. These couples had to choose between leaving the U.S., living separately in their differing countries and only visiting each other, or staying together without proper immigration status. With DOMA overruled, same sex couples will now have equal rights to petition for residency for the foreign-born spouse based on marriage. This is a huge victory for these couples and their children who want to keep their families together in the U.S.

Maine Legislature Rejects Proposals to Eliminate State SSI and GA for Immigrants

The Maine Legislature passed a budget rejecting the Governor’s proposals to eliminate State Supplemental Insurance (SSI) for immigrants and making changes to General Assistance (GA) that would negatively impact immigrant recipients. The SSI program is essential for a small group of elderly and disabled immigrants, including some refugees, asylees and permanent residents, who do not qualify for federal benefits because they are not yet citizens. GA is a crucial safety net for many new Mainers, in particular asylum seekers who are waiting to get their work authorization and to find employment.



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HOW YOU CAN HELP ILAP

Without donations from our generous supporters, ILAP would not be able to help so many immigrants on their journey to self-sufficiency and family stability. We all benefit from the diversity and entrepreneurial spirit that immigrants bring to our community.

ILAP's annual fundraising appeal is underway, and there are many ways you can help:

- When you receive our annual fundraising letter, we hope you will consider increasing your gift this year. A little bit more, from many people, makes a big impact!
- ILAP is a United Way partner agency and we appreciate your support for United Way during the workplace campaign season.

- If you are in the process of estate planning, consider making a planned gift of a tax-deductible donation to ILAP in the form of a bequest, donation of stock or other instrument. Your planned gift is an important legacy for Maine's multi-cultural future.
- Consider joining the India Street Society, a special group of ILAP donors who provide critical financial support with leadership gifts and multi-year pledges.

We sincerely appreciate the ongoing generosity of our individual, foundation and corporate supporters. Without your generous contributions, ILAP could not continue to provide vital legal assistance to Maine's low-income immigrants.



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