



ILAP

The Immigrant BEACON

IMMIGRANT LEGAL ADVOCACY PROJECT

SUMMER 2014

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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.



ILAP's
10th Annual CeleSoirée
Wrap Up! (page 6)



Border History Affects Current Decisions for Long-Time American Canadians

The Canadian provinces of Quebec, New Brunswick and Nova Scotia wrap around Maine, and for decades Maine and Canadian residents have regularly crisscrossed the borders in both directions to work, to marry, to go to the hospital, to shop, to start businesses and to be with friends and family. Crossing was often informal and easy; long-time border agents “knew everyone,” and cars were often waved through in both directions. After 9/11, new

laws requiring a passport to prove citizenship when crossing the U.S./Canada border, and proof of immigration status to get a Maine driver’s license or access government programs, caught many long-time Maine residents by surprise.

Some were U.S. citizens or eligible for legal permanent residency but couldn’t get the documents needed to prove this. One such person was Pauline, who was 68, and ill and living in northern Maine when she contacted ILAP. She had worked hard and paid taxes in Maine her entire adult life. Now Pauline needed to access her Social Security benefits and Medicare. But she could not prove that she had legal status in the U.S. She and her elderly husband were suffering in extreme poverty, trying together to live off his much smaller Social Security monthly benefit. They would have to borrow money to pay the fees for any Immigration applications.

But the real problem was documentation. Pauline was one of 11 children. Her mother was Canadian and her father was a U.S. Citizen from Maine. When Pauline was six in the 1950s, her family moved from Canada to Maine, and was waved across the border into Maine when they arrived in two cars. Pauline worked, married, raised a family and paid taxes in Maine

BORDER HISTORY *Continued on Page 3*

BOARD of Directors

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ILAP welcomes the following new board member:

Kathy Willing joined the ILAP Board of Directors in January. She is Vice President of Corporate Finance at Cole Haan in Yarmouth.

After fourteen years at ILAP, working with our clients and watching the organization grow, I am honored to be ILAP's new Executive



SUE ROCHE
Executive Director

Director. What an exciting time for immigration in Maine. Since ILAP's doors opened in 2000, we have seen new immigrant groups coming to Maine, bringing their unique cultures, skills and ideas. According to the U.S. Census, in ten years Maine saw a 529% increase in its African population, a 62% increase in its Latin American population, and a 43% increase in its Asian population.

As economists are reminding us of Maine's aging population and decreasing workforce, immigrants are moving to Maine and more and more businesses, communities and government officials are seeing them as a key to Maine's future. A recent report by the Maine State Chamber of Commerce and Maine Development Foundation listed recruiting more immigrant workers as one of six recommendations to address the dire condition of Maine's economy. ILAP's role

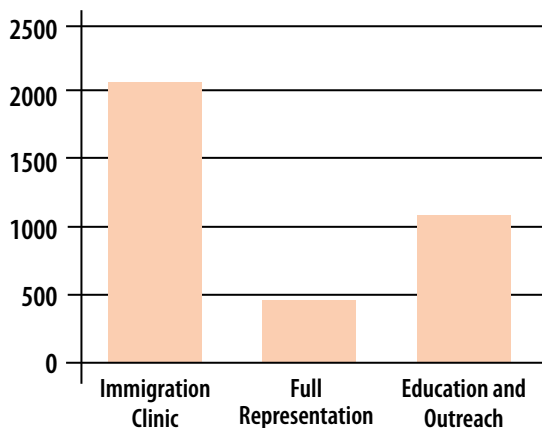
will be important, because without legal status immigrants cannot obtain social security cards, state IDs or driver's licenses, and they cannot work to support their families or meet their basic needs and become active participants in our economy and society.

It is critical that Maine remains a welcoming place for new Mainers so that they chose to stay and build their lives here. This welcoming spirit was seen in January when hundreds of people testified before DHHS to successfully oppose general assistance cuts for immigrants. Our community grows stronger as faith groups, advocates, municipalities and service providers work together to help Maine's new immigrants transition to their new lives in Maine. That support for the immigrant community was felt on April 4th when nearly 400 people came out to celebrate immigration through the arts at ILAP's 10th Annual CeleSoirée. What a great way to start the year!



Susan Roche
Executive Director

ILAP By The NUMBERS ■ 2013



In 2013, ILAP served over 3,000 individuals.

99% of all applications for full representation clients were approved.

Donate and We'll Double Your Gift

ILAP is proud to announce a matching grant in the amount of \$15,000 from the Clowes Fund (www.clowesfund.org) to support our work with immigrants and spur more giving. **For new donors:** make a donation between now and November 1, 2014, and this grant will match it. **For returning donors:** make a donation larger than your 2013 donation and the increased amount will be matched. Our goal is to raise an additional \$15,000 by November 1 in donations so we can take advantage of this matching grant. See the remittance envelope enclosed in this issue of The Immigrant Beacon to donate today, or go online for faster service: www.ilapmaine.org

BIENVENUE!

A hearty welcome to new ILAP staff members!



Philip Mantis, Esq.

ILAP recently welcomed two new faces to our staff, **Philip Mantis, Esq.** and **Olivia Orr**. Phil Mantis, a graduate of the New England School of Law, joined ILAP in February 2014 as our new Asylum Coordinator. Olivia Orr, a graduate of Bowdoin College, is ILAP's new Office and Development Associate.



Olivia Orr

Sean Douglas starts as ILAP's new paralegal this month, supporting the legal staff on full representation cases.

Each summer, ILAP is fortunate to have interns who add to the value of our work and take away some experience in legal aid. This year we welcome **Amber Attalla**, a second year law student at the University of Maine School of Law and **Brian Golger** from Bowdoin College.

Border History

continued from cover



for the next 60 years. She always believed she was a U.S. citizen.

By law, Pauline was likely a U.S. Citizen on the day she born, under laws governing children born abroad who have a U.S. Citizen parent. But those laws required Pauline to prove that her father had resided in the U.S. for a certain number of years as a young man. Because her father was born in 1913 and "worked in the woods" as a young man, there were no records to be had. One school he attended no longer existed. Another burned down. Pauline hit a dead end.

Pauline could apply for legal permanent residency based on her decades of presence in the U.S. if she could document her presence in the U.S. going back to 1972. She could apply for permanent residency based on her marriage to a U.S. Citizen, if she could document that her entry into Maine at age six was legal.

Pauline and her husband were too ill to travel much and had no computer. They tried to locate and ask for documents by phone. They mailed

various immigration applications on their own, and paid the hefty application fees, but they did not include the documentary evidence needed.

Years were going by and they were getting nowhere and no longer able to afford even their phone.

Pauline came to ILAP for help, and her attorney was able to get what few immigration records were available by filing a Freedom of Information Act Request on behalf of Pauline. She went to the Department of Vital Records in Augusta to obtain Pauline's parents' death and birth certificates. She collected sworn affidavits from Pauline's few remaining siblings, and advanced legal arguments disputing Pauline's need to document a legal entry made in a car with others coming from Canada as a child. Finally, her attorney helped Pauline file her application for legal permanent residency with this evidence and other required documents and financial information. After an arduous interview, that covered Pauline's many decades of living in Maine, her application was approved. She now has permanent resident status and was able to obtain her Social Security benefits. ■



India Street Society: ILAP's Key Contributors

The India Street Society is an informal association of individuals and families who provide crucial financial leadership to help ILAP accomplish its mission. Your donation means you value the cultural diversity and longterm benefits immigrants bring to our community. And it means you care about social justice right here where we live.

Become a member today!

Membership runs on an annual basis starting on the date you donate. We'll send a reminder for subsequent years' giving.

Membership begins with a \$300 annual donation, and while supplies last, includes a signed copy of Elizabeth Strout's "The Burgess Boys."

India Street Society

Membership = \$300

Silver Circle = \$500

Gold Circle = \$1,000 +

Please use the enclosed return envelope to make your donation today. *Thank you!*

Help ILAP If You Shop Amazon

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If you make purchases through Amazon.com, you can help ILAP every time you shop. When you shop use this portal <https://smile.amazon.com> and designate ILAP to receive a percentage of what you spend on eligible purchases. **It's easy and it costs you nothing extra.** And Amazon makes the donation to ILAP. *Thanks!*

Maine's "Asylum Working Group" Addresses Asylum Backlogs

ILAP's Asylum Coordinator Phil Mantis is part of an Asylum Working Group, consisting of Maine stakeholders interested in issues related to asylum seekers, in particular the significant backlog in asylum applications. The Newark Asylum Office, which processes Maine cases, currently has a backlog of more than 500 applicants waiting for an interview in Maine. Some people have been waiting for over two years. While waiting for adjudication of their applications, asylum seekers suffer prolonged trauma as they are uncertain whether their cases will be approved and whether they will be deported back to the countries where they face harm. For those with family members in danger back home, the situation is even more critical. In addition to the Asylum Office backlogs, the Boston Immigration Court (which handles defensive cases for those living in Maine) is currently scheduling hearings out into 2020. ILAP and others in the Asylum Working Group are advocating for improvements that would increase the fairness and efficiency of the process.

Attorney General Finds DHHS Rule 17A Unconstitutional

On May 22nd, Maine's Attorney General Janet Mills found unconstitutional DHHS Rule 17A, which would have eliminated general assistance benefits for immigrants. This decision came out four months after ILAP's Executive Director Sue Roche and Board member Maxwell Chikuta joined hundreds of others to testify before DHHS in opposition to the rule. In addition to the constitutional concerns, the rule would have had a devastating humanitarian impact, leaving hundreds of Mainers

homeless and without access to food or emergency needs. Many are ineligible to work while their immigration applications are pending, and they rely on general assistance for their basic needs. This ruling is important for Maine's immigrants and for the health of Maine communities. Providing these benefits to our new Mainers will allow them to get back on their feet while they build their new lives here in Maine.

Immigration Reform Remains Stalled in the House

A year after the Senate passed the widely-supported, bipartisan comprehensive immigration reform bill "The Border Security, Economic Opportunity, and Immigration Modernization Act of 2013" (S.744), the House has failed to take action. Despite House Speaker Boehner's statements that immigration reform will happen this year, House Republicans continue to send contradictory messages and they have yet to send a bill to the floor for a vote. President Obama has delayed action to address concerns with the high number of deportations until the end of the summer, to give Congress time to act. While advocates pressure lawmakers to take action, time is closing in as the next months between primaries and summer recess will be the final opportunity for immigration reform this year. While Congress fails to act, families continue to be separated, the court backlogs grow longer, and businesses and communities miss out on the opportunity that a legalization program would provide for our economy.



Volunteer Spotlight

Simon Craven, Esq.

ILAP relies on the diligent work of volunteers to serve more than 3,000 people each year, and some do more than one volunteer job for ILAP.

Simon Craven, Esq. is one of these volunteers. As an intake volunteer, he helps to process the more than 40 new clients who come to ILAP every week, and as an asylum program volunteer he helps to screen potential asylum clients to determine whether they meet the requirements for asylum.

Born in France, Simon has dual citizenship because his father is American. Simon returned to his childhood home, Maine, last year to work with the growing immigrant population in the Portland area, and he took on contract work with two immigration law firms and started volunteering at ILAP.

He loves the work because "immigration presents a wide spectrum of circumstances." Simon feels immigration law is about changing lives, and is often much more nuanced than the common stereotype of migrant workers crossing the border.

His work with ILAP has given Simon a great perspective on the world, and he finds he "learns from every interaction."

Pro-Se Manual and “How-To” Series for Pro Se Asylum Seekers

PANEL UPDATE

Pro Bono Panel Trainings

ILAP held its third training for current and prospective pro bono panel members on May 30th at Verrill Dana. The training focused on representing clients in the affirmative asylum process. A training on defensive asylum cases is scheduled to be held on September 26th. The Honorable Paul Gagnon, an Immigration Judge at the Boston Immigration Court, and Robert Halpin, the Court Administrator for the Boston Immigration Court, will return to present again at this training.

Pro Bono Panel Successes:

Congratulations to the following *Pro Bono* Panel members on their recent successful asylum grants:

David Kreisler
of Terry Garmey
and Associates

Meg Moran

Eben Albert-Knopp
of Berstein, Shur,
Sawyer & Nelson, PA

Betsy Mahoney

Robyn March
of Lambert Coffin

Leslie Silverstein

We are pleased to announce that ILAP and the University of Maine School of Law’s Refugee and Human Rights Clinic have produced a step-by-step manual for people applying for asylum without a lawyer, “Asylum: Applying for Asylum in the United States.” The purpose of this project was to address the problem that ILAP lacks the capacity to find a lawyer for everyone who needs one. The manual can be downloaded at following address: www.ilapmaine.org/news_and_events.html or a copy can be requested by emailing ilap@ilapmaine.org or calling 207-780-1593.

In another collaboration, ILAP has partnered with Justice for Our Neighbors (“JFON”) to provide a “How-To” series for asylum-seekers. Although the series is geared towards pro se applicants who are in the process of preparing their applications, it may also benefit those who have already filed their applications and those who have lawyers. ILAP’s Asylum Coordinator Phil Mantis conducts the presentations the second Tuesday of every month at Hope Gateway on High Street in Portland. The first session covered the daunting task of filling out the asylum application, and the second session covered the preparation of personal statements. Upcoming sessions will cover gathering evidence for an asylum claim, filing an asylum application package, eligibility for employment authorization, and what to expect at the asylum interview.

ILAP Services

■ **“Intake” for all new clients and former clients** with new matters takes place at ILAP every Friday from 9-1 (those outside the Portland area can call us during those hours at 207-780-1593). Everyone must go through Friday intake in order to schedule a consultation with an attorney, an appointment in the Pro Se Forms Clinic, or to sign up to attend a citizenship presentation.

■ **Attorney consultations** are scheduled in Portland every week and Lewiston once a month. Consultations can also be done by phone for those who cannot travel to Portland or Lewiston.

■ Once a month a **Citizenship Presentation** is held at ILAP. During the presentation, ILAP staff provide information on the requirements for citizenship and information on what one needs to do in order to get ready to apply for citizenship.

■ In our **Pro Se Forms Clinic**, ILAP staff and volunteers assist individuals in filling out their immigration applications.

■ Once a month, ILAP offers a presentation to new refugees on their **rights and responsibilities in the United States** at the Catholic Charities of Maine office, Sherman Street in Portland.

■ Once a month, ILAP offers **informational sessions to asylum seekers** applying for asylum on their own without a lawyer. This is done in collaboration with the Justice for Our Neighbors program at Hope Gateway on High Street in Portland.

■ ILAP also provides **education and outreach events** on a variety of immigration topics to service providers and immigrant groups; and participates in systemic advocacy to improve the laws and policies affecting immigrants.



C.A. Smith Photography

ILAP hosted its 10th annual CeleSoirée on April 4th, with a fantastic crowd, a gallery of art, musical and dance performers from around the globe, and a Pulitzer Prize winner. This year's event marked a decade of celebrating immigration through the arts at one of Portland's favorite fundraisers and the return of art sales to benefit ILAP.

Many thanks to our sponsors and auction/raffle donors for bringing this favorite event to life; Chris Kast from the Brand Company for being our excellent MC/auctioneer; Bruce Brown and Damir Porobic for their work with the art community to put up a fabulous show; the artists who contribute so much to our creative economy and to ILAP; our hard working Planning Committee and volunteers and, of course, our guests, who make the evening spark.



Elizabeth Strout signed extra copies of her book "The Burgess Boys" for ILAP to give to new India Street Society members during events or for donations of \$300 or more in the coming months.

To see a recap and photos of the evening, please visit: www.ilapmaine.org/celesoirée.html

The keynote address by Maine-based author Elizabeth Strout

(Olive Kitteridge, The Burgess Boys) was a show stopper. Strout spoke of her childhood in Maine and how it shaped her view of the world and her second home in New York City. She spoke eloquently of the importance of the nonprofit work ILAP does every day, and how writing her latest novel opened her up to the immigrant experience. Her use of self deprecating humor and that signature insightfulness that makes us nod knowingly drew the nearly 400 person crowd in closely.

Several performers lit up the evening as well. A young African vocal group with their start in a local church, **Les Voix des Anges** ("voices of angels") sang a cappella harmonies in several languages and drew a standing ovation. **Olas**, a group with roots in both the Middle East and Central America, performed achingly beautiful flamenco dance to world rhythms, and the accompaniment of the baby strapped to one member of the group was a favorite. During the pre and post program receptions, Cuban band **Primo Cubano** and mariachi guitarist **Jose Gonzalez** performed to appreciative crowds.

The evening would not have been complete without the Art Gallery, mounted by Damir Porobic and Bruce Brown and curated by Brown. The classroom off the lobby was reimaged as a gallery setting and each artist contributed 50-100% of the sale price to ILAP.

ILAP's India Street Society members attended a special **pre-event** with the keynote speaker, **Elizabeth Strout**. She talked about her method with this group and how she comes to bring ideas to the page, and she took questions from the audience. Each India Street Society member who attended was given a hard copy of Strout's book "The Burgess Boys" as a gift from her publisher and she signed copies for all.

■ AILA's National Day of Action

On April 10th, ILAP's Executive Director Sue Roche traveled to Washington DC with the New England chapter of the American Immigration Lawyers Association (AILA) for AILA's National Day of Action. She met with Maine's Congressional representatives and staffers to discuss immigration reform and issues related to asylum seekers in Maine, providing the legislators with information on how immigration laws and procedures are affecting immigrants in Maine.

■ Mexican Mobile Consulate Visits Maine

Representatives from the Mexican Consulate in Boston traveled to Maine on May 10th and held their mobile consulate at ILAP's office, providing outreach to Mexican nationals in the state. They visit Portland annually to renew or issue passports and Consular IDs to Mexican nationals.

■ **An article by ILAP's Executive Director Sue Roche**, "Maneuvering Immigration Pitfalls in Family Court: What Family Law Attorneys Should Know in Cases with Noncitizen Parties," was published in the *Journal of the American Academy of Matrimonial Lawyers*, Volume 26 2013.

■ Full BIA Accreditation

ILAP Accredited Representative Andrea Summers has been granted approval from the Board of Immigration Appeals (BIA) for her Full Accreditation, assigning her credentials to represent clients in defensive cases in Immigration Court. Andi has been accredited by the BIA to represent clients in affirmative cases with the Department of Homeland Security since 2012.

Ban Kwana* to our friends and colleagues

■ **Leslie Pohl**, ILAP's Development and Office Associate since August 2012, left the organization to return to the Muskie School at USM, where she is an administrative specialist with the Cutler Institute for Health and Social Policy. Leslie remains dedicated to ILAP's mission, and was most recently a volunteer at CeleSoirée.

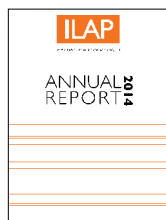
■ **Noël Young**, ILAP's former Asylum Coordinator took a position as an asylum officer with the Department of Homeland Security's New York Asylum Office earlier this year. During her three years at ILAP, Noël worked diligently to expand ILAP's Asylum Program, recruiting and training pro bono attorneys and growing the panel by nearly 40%.

*Ban Kwana means farewell in Hausa—a language spoken in Nigeria, Sudan, Ghana and other African nations by 34 million people.

■ Staff Assume New Roles

Since our last publication, longtime ILAP attorney and former Legal Director **Sue Roche** took on the role as ILAP's permanent Executive Director in October of 2013. She had served as Interim Director since April. Sue started as ILAP's first staff attorney, hired in 2000 by founding Executive Director Beth Stickney.

Congratulations to ILAP staff attorneys **Barbara Taylor** and **Jennifer Bailey**, who were recently promoted to Senior Staff Attorney and Supervising Staff Attorney, respectively. Both Barbara and Jennifer have been at ILAP for more than 5 years and have extensive experience practicing immigration law.



Click to the Annual Report

New this year, ILAP's 2013 Annual Report is available online as a download. This information is usually published briefly as part of the newsletter, but is a separate document for 2103. Go here to find it:

www.ilapmaine.org/annualreport2013.html

■ ILAP Partners for Outreach Series

ILAP and **Justice for Our Neighbors** (JFON) have begun an educational outreach series for asylum seekers who find themselves in the unfortunate situation of proceeding with their claims pro se; however, asylum seekers who are represented by counsel may also find these talks beneficial. During each session in the series, a presentation is given discussing a particular aspect of the asylum application process. The first session was held on April 15th at Hope Gateway on High Street in Portland and it covered the daunting task of filing out the asylum application. The upcoming sessions will cover, among other things, the drafting of a personal declaration, gathering evidence in support of an asylum claim, filing an asylum application package, and what to expect at the asylum interview.



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HOW YOU CAN HELP ILAP

Immigrants enrich and enhance our life experience in Maine everyday. ILAP serves immigrants who want to improve their legal status so they can work, bring their families together, travel freely and apply for college financial aid. These are the same things you and I want. When you support ILAP, you support diversity in our communities, a brighter economic outlook for our state, and social justice for all Mainers. We can't do what we do without you! Here are some ways for you to fuel ILAP's essential work in Maine:

Our Annual Fund appeal starts in September. When you receive your letter, consider a stretch gift, and we can **DOUBLE** your new gift or additional amount from last year thanks to the Clowes Fund (see page 2).

ILAP is a United Way partner agency and your support of United Way during the workplace campaign season can be designated directly to ILAP.

Join ILAP's India Street Society, a special group of ILAP donors who provide critical financial support with leadership gifts and multi-year pledges. Meet interesting, like minded people in support of a great cause.

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 instruments. Your planned gift is an important legacy for Maine's multicultural future.

THANK YOU!

We wholeheartedly appreciate the ongoing support of our individual, foundation and corporate partners. Through their generous contributions, ILAP can continue to provide vital legal assistance to Maine's low-income immigrants.



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Like us for the latest news, events, and immigration policy developments.

GIVE ONLINE
Help us fulfill our nation's promise of liberty and justice for all. Make a secure online donation right now.

Visit www.ilapmaine.org and click "Donate Now" or contact Loretta Prescott, Development Director, at 207-780-1593 x107, or lprescott@ilapmaine.org

www.ILAPmaine.org