FROM THE MEXICAN BORDER TO THE HALLS OF CONGRESS, the controversy over immigration law has intensified and become more critical to U.S. policymakers. Virginia’s Immigration Law Program allows students to explore the key legal and public policy issues affecting this debate, including whom the United States should admit, who should qualify for political asylum, what should be done about the undocumented, and the impact of immigration on the economy or on national security.

LEARNING FROM EXPERIENCED FACULTY, STUDENTS CONSIDER ISSUES posed by immigration and build practical skills through an immigration clinic and pro bono efforts offering aid to clients. The program also brings in expert speakers on immigration law, including leading attorneys and policy advocates, immigration judges and government officials.

PREPARATION AND PERSUASION PAID OFF FOR TWO UVA LAW STUDENTS who recently convinced a judge to release on bond a client facing deportation. JONATHAN BABCOCK ’18 and KEYAWNA GRIFFITH ’18, working through the school’s Immigration Law Clinic, represented an undocumented immigrant at Arlington Immigration Court in March 2018. Immigration courts are overseen by the Executive Office for Immigration Review within the U.S. Department of Justice. These judges may grant foreign nationals legal status or have immigrants deported or removed.

Their client had been detained by U.S. Immigration and Customs Enforcement after being charged with driving with a suspended license in Culpeper Count, Virginia. Babcock and Griffith helped file a bond motion and then tag-teamed a hearing for his release.

The students interviewed their client ahead of the courtroom appearance to learn about his background and build a real-life narrative to present to the judge. The man had legally entered the U.S. on an employment visa, has lived in the Culpeper area for 15 years, has a young daughter (who is a citizen) and stepson, and has worked at the same company for more than 10 years.

“Since being in the U.S., he has dedicated himself to his work and to his family” Griffith said. Declarations attesting to the client’s livelihood and character are often a pivotal factor in immigration cases as well.

“He had great co-workers who were willing to do anything they could to support him,” Babcock said. “One of them actually came up to Arlington with us. That he was willing to take off work and drive a couple of hours up to the court, shows that he respects that person’s character.” The students successfully argued that their client was neither a danger to public safety nor a flight risk. The judge released him on bond.

“It was just very impactful to go before the judge and prove that this is a good person who deserves to be outside jail so he can continue to support his family,” Griffith said.

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These courses represent the 2016-19 school years. Not all courses are offered every year.
Attorneys from the Richmond-based law firm Hunton Andrews Kurth work pro bono with the assistance of student volunteers to represent indigent clients in the areas of immigration, asylum and family law.

Migrant Farmworker Project

Run by the student group the Latin American Law Organization, the Migrant Farmworker Project works with the Legal Aid Justice Center's Immigrant Advocacy Program to assist an isolated population often in need of legal counsel. The program represents immigrants and farmworkers throughout the state. Although the center handles mostly employment law cases, it also takes housing and discrimination cases. Student members of the Migrant Farmworker Project visit migrant farm labor camps and inform workers about their rights. The project also seeks to increase awareness about the substandard treatment of immigrant workers and conditions in which they live and work in Virginia. Students do not need to speak Spanish to participate.

Immigrant Jail Outreach Project

In conjunction with the Capital Area Immigrants' Rights Coalition, law student volunteers are trained to help CAIR Coalition attorneys in their work at local jails in Virginia housing hundreds of immigrant detainees. Students may assist in know-your-rights presentations, interview detainees to screen for those who may have claims to immigration status, and conduct initial case development with follow-up interviews and legal research. CAIR then attempts to place cases in their pro bono network or refers to outside counsel those with legitimate claims to status who lack the resources to fund their own defense.

Community Service and Pro Bono Projects

Outside of the classroom, the Immigration Law Program provides students with numerous hands-on learning experiences.