

Pro Bono Asylum Case Featured in Louisiana Super Lawyer Magazine

As a follow up from our April 2017 post regarding a pro bono asylum case, Louisiana Super Lawyers magazine published a story in the January 2018 issue featuring Michelle Roy's work on this case.

April 2017: Tim Gray and Michelle Roy of our New Orleans office represented a client, a minor, who fled from Guatemala to the United States with her family in 2015 to escape gang violence and political persecution. The firm sought permanent status for this client as a "Special Juvenile Immigrant" and as a member of a persecuted class entitled to asylum. The firm accepted this pro bono representation through a program sponsored by the Catholic Charities which matches volunteer lawyers with undocumented juvenile children in Louisiana. The firm continues to represent other undocumented minors through this program.

We are honored for the featured publication on Michelle's dedication to this case, you can read the full issue by clicking here. Or read her article here:

PRO BONO
spotlight on service

Safe Haven

Michelle Roy takes an asylum case with the highest of stakes

By the time the papers left, they had to be out by night.

Their father had been murdered by a drug cartel in Guatemala in 2015. Their mother, beset by death threats, had fled, leaving the three children in the care of aunts, one in her home town and two under 10, in their own.

Michelle could not sit idly by. "I was the oldest, with a work, so we're going to help out," when their mother came, the sisters were helping the border into Mexico. From there, they took a bus to the U.S. border, crossed it and immediately turned themselves in to the border patrol.

The sister's asylum case came to Tim Gray of Forman Watkins & Krutz in New Orleans by way of PHHJ, The Office and Services, an organization created by immigrant attorneys in conjunction with Catholic Charities to connect attorneys to the type of pro bono work.

Initially, Gray accepted the case of the youngest sister, a minor eligible for Special Immigrant Juvenile status, which allows children whose parents are U.S. citizens to obtain lawful permanent resident status if they've been abused, neglected or abandoned by a parent. Then the two older sisters, who were not eligible for this status because they were over 16 years old, asked if Gray and his team would represent them in their asylum applications.

That's when Gray asked fellow Forman Watkins lawyer Michelle Roy to take the case. Roy—whose expertise is in labor law, defending businesses in their own litigation and previous experience with asylum cases, but nothing with them at all—agreed.

"It's a lot of pressure when you know what the standards are," she says. "I know that the standards of the different standards under asylum and the all these opportunities under the asylum proceedings and you make sure you put the research to back up the asylum claims and that you are providing them with enough documentation to show that our clients should be entitled to asylum."

She was well equipped for the difficulty of demonstrating that a child belongs to a persecuted class. "I don't have a central story about persecution (Qualification to be a part of a persecuted class)," she says. "In this situation, because the child was actually the government actor, but in other countries the child is not always considered a government actor and not always a target for violence."

On Aug. 8, 2017, Roy and Gray received a letter from the judge who had received a letter with great relief, signifying the new permanent asylum. "The paperwork was right for her, which caught on fairly to her," Gray says.

Roy remembers the relief and happiness she felt. "It was great and to be honest and to say that she had to leave—that they aren't going back to a country where the courts would likely still there?"

She does, too, she says. "The other sisters' cases are likely to be decided in later spring."

"It's exciting that if we were the best qualified attorney that all, all the way back, to get into our relationship with the other sisters as well," she says. "However, it's just nice to be able to help someone and to know you made a difference in their life."

How to Get Involved

PHHJ is in search of attorneys to take cases on a pro bono basis. The organization can be contacted at phhj@probono.org or via the Facebook group.