

Immigration Litigation Field Program Course Syllabus

Course Number: 203-001
Course Title: Immigration Litigation Field Program
Credit Hours: 4
Meeting Time(s): THUR 1:50P-3:50P
Meeting Mode: In-person; see details below
Exam Time(s): N/A
Exam Mode: N/A
Prerequisite(s): N/A
Corequisite(s): N/A
Instructor(s): Sophia Genovese and Daniela Czemerinski
Contact Info:
Daniela Czemerinski, dczemer@gmue.edu
Sophia Genovese, sgenoves@gmue.edu

Reading(s) & Supplement(s):

Readings will be provided to you by handout or links.

Course Overview

The Immigration Litigation Field Program is a year-long clinic and open to second- and third-year law students. In this field program, students will represent clients in a range of immigration litigation matters before the immigration court in Annandale and Sterling, Virginia. Students may also work on applications to be submitted to USCIS. The focus of students' efforts is their casework outside the classroom for immigrant clients. Students will meet for a 2-hour seminar once a week, receive virtual or in-person team supervision, and engage in virtual and in-person client and case work. All students should have or set up a WhatsApp or Google Voice number for contacting clients.

Course Learning Outcomes

By the end of the course, students should understand:

- The historical and political forces informing the U.S. immigration system
- The substantive law underpinning their clients' cases
- The rules of professional responsibility, including case file maintenance, timekeeping, and ethical rules in immigration court practice
- Client-centered practices, including interviewing and counseling
- How to work in collaboration with colleagues, advisors, and clients
- Critical trial skills, including evidence collection, working with experts, witness preparation, and oral advocacy
- How to write a persuasive legal brief, gather corroborating evidence, and submit a polished product to a tribunal

Schedule permitting, students will participate in at least one hearing before an immigration tribunal, which may include: presenting preliminary arguments, conducting direct and

redirect examination of a client and witnesses, and presenting closing arguments. Presenting a case at a hearing in the immigration court depends on the court's schedule, which can be highly unpredictable, and thus cannot be guaranteed to every student this academic year.

Grading Policies

Attendance:

Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

Absences:

Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

Use of Technology & AI:

Strict Use Policy: The use of generative AI tools is not permitted for any coursework in this course. Unauthorized use will be treated as a violation of academic standards.

Additional Comment(s):

In addition to any lectures or class meetings, you will be required to attend weekly individual case reviews with your instructors. These will take place via Zoom or in-person, according to the preferences of instructors and students.

Grading:

There will be no final exam. The grade will consist of:

- **25%** class participation during seminar;
- **25%** case team collaboration and participation in case team meetings
- **50%** client representation, including professionalism, client communication, drafts, and final work product to the tribunal

Participation & Preparation:

Requirements:

- 1) Attendance and class participation, as well as completing all class readings and assignments
- 2) Client representation and case work
- 3) Confidentiality and sensitivity with clients
- 4) Communicating with your supervisor with respect to representations, counseling, and intakes
- 5) Full participation in community outreach events (scheduling TBD)

Note: The Immigration Litigation Field Program meets for two hours a week, but students will receive a total of four credits because of meetings and work required outside the

regularly scheduled classroom time. Plan to spend at least 12-15 hours of work per week on casework in addition to your weekly seminar and readings. Please bring your laptop to every class, every supervision meeting, and every client meeting or intake. *Please note, however, that instructors reserve the right to hold meetings in which students are required to close their laptops to engage in conversation or classroom activities.*

Assignments:

1) Course Readings & Assignments:

Some course assignments will be changed, removed, or added throughout the semester due to the rapidly changing landscape of immigration law. Assigned readings must be completed prior to each class session, ***including the first session.***

2) Client representation:

Students must regularly communicate and meet with their clients throughout the year. Instructors will not attend client meetings. Instructors will ask students to record at least their first client meeting (with the client's consent) for review. Students must provide a thorough meeting summary for each client meeting. Students will use client meetings to gather facts and to construct a client declaration to be submitted to the immigration court. Students will also prepare clients for trials and hearings through extensive revision of the client declaration and moots with the client. During moots, students and clients will practice direct and cross-examination questions and address any other issues likely to arise during an immigration hearing.

Client representation also includes preparing the legal brief, expert reports, and other evidence into a high-quality filing for submission to the immigration court or adjudicatory body. Students must build in ample time to compile the filing and draft the brief. Students should expect no less than three rounds of revisions and up to ten, until the work product is sufficient for an adjudicator's review.

3) Case teams:

Students will be grouped into teams of two or three to represent clients. Case teams will meet weekly or biweekly with their advisors. It is the responsibility of the student attorneys to prepare an agenda in advance of the meeting to ensure the meeting is productive and helpful. Advisors will also add to the agenda, as appropriate. Case work between case team members should be distributed equitably, and strategy decisions should be evaluated and made together. The legal industry often requires collaboration, and thus a key learning goal in this clinic is to support you in developing communication and collaboration skills.

4) Court observation:

Students will observe mock hearings or real hearings. When one case team has a trial, other students are expected to attend, provided the client(s) consent.

5) Self-Evaluations:

Students will be expected to complete a self-evaluation at the end of each semester.

Expectations:

1. Students must promptly provide their availability for client work for the fall semester to the instructor.
2. This course will likely be the most demanding course you take this year. Students are expected to consider themselves student attorneys, holding primary responsibility for a real person and a real case. Therefore, students should avoid scheduling any vacations or extracurricular activities in the two weeks before a trial filing deadline and seven days before a bond filing deadline. Students should avoid scheduling any vacations or extracurricular activities within 10 days of a trial and 5 days of a bond hearing.
3. Students will receive extensive feedback on written work. Instructors will provide most feedback through edits and comments on Microsoft Word documents. **Students must respond to every comment.**
4. Throughout the academic year, students will likely moot their cases in class. All students must fully participate in these moots, which requires students to read the case file, identify weak arguments, and prepare to act as opposing counsel and the immigration judge by the day of the moot.
5. Student teams will attend weekly supervision meetings with the instructor(s). Students are responsible for coming to that meeting with the agenda already written and questions prepared. The agenda or notes must include an “action items” section, where we will assign someone each action item for the next week.
6. For virtual meetings, videos must be on. Active participation is expected.
7. Pursuant to Academic Regulation 4-2.2, no portion of a class session or an examination may be preserved by means of a recording device such as an audio recording device or camera. Any exceptions to this policy must be expressly permitted in writing by the field placement director (for example, we have given you permission to record client meetings, provided the client consents and the recordings are uploaded to the appropriate SharePoint folder and then deleted from all other devices). This is extremely important as confidential case information will frequently be discussed during class.

LAJC Policies

Integration into the Law Firm

Students in this class are members of the Legal Aid Justice Center (LAJC) team and operate as agents of our office. Students should be familiar with LAJC and can learn about the organization on [our website](#), including our mission, programs, leadership and staff, and office locations.

Professional Conduct

As students working under the supervision and bar license of practicing attorneys at LAJC, students are obligated to follow the [Virginia Rules of Professional Conduct](#). These include, but are not limited to, the following obligations:

1. CONFIDENTIALITY

All information received, and all work done on behalf of LAJC, shall be considered confidential. Discussions concerning client information or work shall occur only with

authorized individuals and only in a manner that protects the confidentiality of the material discussed. This includes information about impact campaigns, strategy, investigations, and internal firm operations.

2. PROMPT AND DILIGENT REPRESENTATION

Students are responsible for thoroughly investigating matters, both factual and legal, raised by the client. Case assignments should be completed promptly. Procrastination is a significant disservice to the client and the legal case.

Student Availability

Students are expected to generally be available to respond to time-sensitive client matters that arise during the semester. Students must inform their supervising attorney if they will be without cell service or WiFi for a significant period of time during business hours. In such situations, the student and supervising attorney will arrange for the student's cases to be covered during the student's absence.

Students are responsible for frequently checking phone messages and e-mail regarding their cases.

3. CLIENT COMMUNICATIONS

Student Role

When students open a case or begin working on an existing one, they should introduce themselves and explain their role to the client. Client consent to student representation is also a part of our standard retainer agreement.

Students should explain to their clients that most of the work on their case will be done by the student. Students must explain that an attorney will provide supervision and share their supervisor's contact information. Students should ensure clients understand that they are not lawyers.

In general, students should follow LAJC's case handling procedures and communicate honestly and frequently with their clients.

Accommodations and Nondiscrimination

It is LAJC policy that our office shall take reasonable steps to provide Limited English Proficient (LEP) persons with meaningful access to all programs and activities conducted by LAJC. This policy is based on the principle that it is OUR responsibility—not our clients' responsibility—to ensure that communications are not impaired by the limited English proficiency of individuals seeking our services. During intake, clients' English proficiency and preferred language should be recorded in the corresponding fields in Legal Server. Students should not use clients' family members, friends, or others who may accompany clients as interpreters — particularly children or significant others — for any substantive communications.

Likewise, it is LAJC's policy to take reasonable steps to provide accommodations for persons with disabilities, ensuring they have access to our programs and activities. Students must be mindful when choosing a mode of communication, setting in-person meetings, and asking clients to complete tasks whether the client may need modifications or accommodations to fully participate in their legal case and access LAJC's services.

Students needing class-specific accommodations to fully and meaningfully participate in the course, please contact the professor.

4. MAINTENANCE & INTEGRITY OF CLIENT FILES

File Maintenance

All files should be organized, easy to read, and up to date. A client file should be maintained so that a staff member of LAJC, called upon to substitute for an absent law student, can review the file and become fully informed and current on the client's situation. Cross-references to materials kept in other locations should be clear and easy to understand.

Student work product will be stored in case files accessible to the LAJC team (including other students and interns) for client representation and advocacy. Participation in field placement constitutes consent to share this information for this purpose.

Timekeeping

It is very important for students to keep accurate records of the time spent on each client's case and the activities performed. Field placement students use the LAJC timekeeping database to record time. Please record all activities. Even activities that may seem insignificant at the time can end up being important (such as attempting to call someone and being unable to leave a message).

Students also need to keep track of the time spent on the field placement in general. In addition to time spent on client matters, field placement time may include reading for class, attending guest-speaker lectures and court observations, and working on tasks such as policy work or outreach.

LAJC keeps time in increments of tenths of an hour. So, the minimum time you spend on any activity should be 0.1 hours. Thus, for example, if you make a phone call and leave a message, record that time as taking 0.1 hours.

5. CONFLICTS OF INTEREST

LAJC intake workers conduct a conflict-of-interest check during the initial intake with the prospective client to determine if any conflict exists with a present or prior LAJC client. When assigned a case, students are responsible for identifying any personal conflicts of interest. Further, LAJC has a continuing obligation to avoid conflicts. At any time, if a potential conflict is discovered, students should report it to their supervising attorney.

Logistics

Mileage and Expense Reimbursement

LAJC will reimburse student mileage when the purpose of the travel is necessary to advance a client's case. Travel with the primary purpose of student education (such as court observation of a case the student has not personally worked on) is not reimbursable.

To obtain travel reimbursement, students must email their supervisors within a week of travel and include the date of travel, the addresses (to/from), the case number, and the purpose.

Students generally should not use their personal funds for costs associated with client representation. In the event this happens, such as to pay a filing fee or to mail documents, students must email their supervisors within a week of the expense and include the receipt, the case number, and the purpose.

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)

Mason Square Police

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

Student Support and Advocacy Center (SSAC)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

Mason Square Clinic

Van Metre Hall, Room B102

703-993-2831