

Interview Assignment for Immigration Law

Task: You are to prepare for interviewing one of two clients. If your last name is A-F, you will interview Dora. If your last name is H-Z, you will interview Fatou. Prepare a list of 15-20 questions you will need when you sit down to interview your client. Assume that this is the client's first meeting with an immigration paralegal. Dora will need a completed Form I-589 and supplement statement (see sample on page 214). Fatou will need a completed Form I-918, Petition for U Non-immigrant Status and Form I-918, Supplement B, U Non-immigrant Status Certification. Hence, your questions should focus on information you might need to fill out the necessary paperwork. *You are not required to fill out any paperwork for this assignment.* Also include a list of documents the client should bring for the interview (if she is able to locate them).

This assignment is due March 23 at 11:59 pm.

MEMORANDUM

TO: Immigration Students
FROM: Professor Fiorentino
DATE: February 19, 2025
RE: Dora, possible asylum claim

Dora, 21 years old, is from Honduras and is a member of the Libre Party, which is a party that opposes the current administration and President. The head of the Libre Party is the former President of Honduras who was ousted in a military coup. The current President is a fierce opponent of the Libre Party.

Dora is a student activist who is in her next to last year of secondary school. She had planned to go to University to study law, but because she felt she was in danger of arrest or being killed, dropped out of school. During secondary school, she worked part-time in a doctor's office. Dora has organized a number of peaceful protests because she believes she must speak out against injustice. She believes the current President is collaborating with narco traffickers and gangs and cannot trust the police or anyone in government.

Dora says she is a visible leader, and that many of her friends and members of the Libre Party have been arrested or killed by "death squads"—assumed to be government agents. She has been followed by unmarked cars. Often the police try to frame students in order to arrest them; for example, once the police approached her and other demonstrators and placed Molotov cocktails in front of them and took their picture. She was then told by the police that unless she stops protesting she will "disappear." Dora had to hide out in various parts of the country, but always, strange cars without license plates followed her. She decided it was not safe in Honduras and came to the United States and presented herself to immigration officials at San Ysidro and asked for asylum.

Based on these facts, please prepare a list of questions you may want to ask Dora in order to prepare an asylum application. You will not complete the actual application but you should be familiar with which materials that the client will be required to file.

MEMORANDUM

TO: Immigration Students
FROM: Professor Fiorentino
DATE: February 19, 2025
RE: Fatou N'Daw; Possible U-Visa claim

Northern Virginia Legal Aid is representing Ms. Fatou N'Daw in a public housing eviction matter. Alexandria Redevelopment and Housing Authority (ARHA) served Ms. N'Daw with a notice to vacate because the Alexandria Police Department arrested her husband for felony drug distribution. During this process, ARHA discovered that Ms. N'Daw is an undocumented immigrant, and ARHA has reported that information to the U.S. Citizenship and Immigration Services.

Based upon the information on the clinic intake sheet, Ms. N'Daw is a native of Senegal who arrived in the U.S. in 2010 on a visitor's visa. She has lived in the U.S. undocumented for the past six years with her husband, a U.S. citizen. Although Ms. N'Daw was aware that her husband was selling marijuana, she felt there was nothing that she could do because he is very aggressive towards her. The intake sheet indicates that her husband has hit her on several occasions, but she never left the marriage because her husband threatened to report her to the Department of Homeland Security.

Although we generally do not represent clients in U-Visa applications, we have too few facts to determine if there is a pending removal proceeding and whether Ms. N'Daw qualifies for a U-Visa. [The U-Visa applies to immigrants, including undocumented immigrants, who are the victims of certain serious crimes and agree to support law enforcement. Law enforcement authorities must also certify that the victim has been, is being, or is likely to be helpful in the investigation or prosecution of the criminal activity.]

Congress created the U-Visa as part of the Victims of Trafficking and Violence Protection Act of 2000, title V, Pub. L. No. 106-386, 114 Stat. 1464, 1518-37 (entitled Battered Immigrant Women Protection Act of 2000 ("BIWPA")). [Victims of Criminal Activity: U Nonimmigrant Status](#). See 8 U.S.C. § 1101(a)(15)(U)(i) (2006) (providing the eligible for U-1 nonimmigrant status.) The implementing regulations for section 101(a)(15)(U)(i) are codified at 8 C.F.R. § 214.14 (2012).

Ms. N'Daw is schedule to meet with you at a future date. In preparation for the client interview, please read the relevant statute and the implementing regulation to determine the legally significant facts you must obtain during the client interview. **You will not complete the actual**

application but you should be familiar with which materials that the client will be required to file.

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