



**Role of the Volunteer attorney and
the Consulting Attorney in a
Pro Bono Case**

You have agreed to provide *pro bono* legal representation to your client through The Advocates for Human Rights' Refugee & Immigrant Program. The work you have undertaken is vital and critical for the safety of your client.

Volunteer attorney

Summary of Volunteer attorney's Responsibilities

The Volunteer attorney is primarily responsible for preparing and presenting the client's claim(s) for relief. As such, the volunteer attorney should do the following:

- Initiate contact with the consulting attorney and the client;
- Record all filing deadlines in your calendar;
- Meet regularly with the client;
- Review case progress with the consulting attorney assigned to the case; this may include having the consulting attorney review the asylum application and affidavit, or answer specific legal strategy questions. The Advocates staff is also available to answer questions when the consulting attorney is unavailable or if one is not assigned.
- Sign onto the online support service, Probono.Net/Asylum Law practice area, to receive notices of changes in immigration law and policy; and
- Attend relevant Advocates' training sessions throughout the year.

Reporting to The Advocates

The Advocates is committed to providing the support necessary for the volunteer attorney to successfully represent the *pro bono* client. To do this, The Advocates must be apprised of the status of the case at all times. The volunteer attorney is expected to provide the following:

- Provide periodic updates through our On-line [Volunteer Attorney Case Update Form](#).
- Annual accounting of time spent on case, hourly billing rate, and expenses donated to be collected each July;
- Notice of all decisions in the client's case;
- Changes in the client's address or telephone number;
- Changes in the volunteer attorney's address, telephone number, or email;
- Copy of the retainer agreement (and any updates or modifications) between the volunteer attorney and the client; and

- Complete On-line [Case Closing Form](#);
- Copy of the case closing letter from you to the client.

Retainer Agreement

The volunteer attorney must complete a retainer agreement with the client.

Scope of Representation

- The volunteer attorney must discuss with the client precisely what services the volunteer attorney has agreed to provide *pro bono*.
 - The case you have agreed to handle may be completed quickly or may take years to win. Even after the case is granted, clients may have continuing legal rights and needs. The volunteer attorney and client must discuss, agree to, and understand the scope of the agreement at the outset of the attorney/client relationship.
 - **The Advocates expects that the volunteer attorney will complete the work required in the case in the particular stage assigned: affirmative, removal, or appeal.**
 - The Advocates generally assigns cases to volunteer attorneys in one of four procedural postures: an affirmative case to be filed with the U.S. Citizenship and Immigration Service (USCIS); a removal case to be litigated before the immigration court; an appeal case before the Board of Immigration Appeals; or a petition for review in the Federal Court of Appeals.
 - If the volunteer attorney feels unable to continue with representation at the next stage, the case will be reassigned to a new volunteer attorney if the client remains eligible for The Advocates services or will be referred to private attorneys for paid representation.
 - The volunteer attorney agrees to charge no legal fees for the *pro bono* representation provided to The Advocates client, and to cover the costs of representation, including postage, copying, and the like.
 - The Advocates cannot reimburse volunteer attorneys for any costs. Please keep in mind that The Advocates accepts only clients whose income falls below 125% of the federal poverty level and that we do not expect clients to cover these costs. As a volunteer attorney, we expect you to donate both your professional skills as well as other costs related to representing your client. If your firm or agency does not allow you to cover these costs, please discuss with The Advocates whether you can still take the case.

If You Need an Interpreter

- The volunteer attorney is responsible for ensuring that your client has a competent interpreter for case preparation and for an affirmative asylum interview.
 - The Advocates may be able to assist you in finding an interpreter or translator from our pool of volunteers. You may contact our program assistant at 612-746-4664 for more information about finding a volunteer interpreter or translator or make a request online [here](#). If you find an interpreter who needs training in working with asylum-seekers, we would happy to provide some training materials for him or her.
 - Additional resources for volunteer interpreters may include foreign language departments at local universities or even your immediate colleagues.

- All foreign language documents submitted to immigration must be accompanied by a translation and a certificate of translation. You can find a sample at [Appendix H](#) of the Immigration Court Practice Manual.
- If you are handling a case in removal proceedings, the court will provide a certified interpreter for any hearings in front of an immigration judge. During Master Calendar Hearings, the interpreter may be through the telephone.
- If your client uses a friend or family member to interpret, it would still be helpful to find an independent interpreter or translator to review the case to avoid problems caused by inaccurate translations or difficulty discussing sensitive matters with friends or family members. Never rely on children to interpret.

If Your Client has Experienced Trauma

If your client suffers from medical or psychological problems resulting from torture or mistreatment, an evaluation from a physician or therapist may be a critical piece of evidence.

- If your client is also a client of the Center for Victims of Torture, please contact their social worker or therapist immediately to work on this case. The Center's phone number is (612) 436-4840.
- Additionally, you should have the client sign a consent form so you can coordinate efforts with the social worker or therapist.
- If your client is not going to the Center for Victims of Torture but you believe an evaluation would be helpful, we may be able to refer your client to another agency.

Continuing Representation after Asylum is Granted

Once the client is granted the immigration benefit you are seeking, the client may be entitled to petition to bring immediate family members to the U.S., to apply for a travel document, and to apply for lawful permanent residence in the U.S. In some cases, applications for family members can be submitted along with the affirmative application for relief (ie. T-Visas and U-Visas):

- The volunteer attorney may wish to assist the client with these ancillary matters. However, the volunteer attorney is not required to continue representing the client for this next step.
- If the volunteer attorney chooses to continue working with your client on ancillary matters after the case is granted, the volunteer attorney must notify The Advocates of the change in case status, *and* execute a new retainer agreement with the client outlining the scope of the relationship.

Closing the Case

Upon the completion of agreed-upon legal work, the volunteer attorney is expected to complete a number of tasks:

- Notify The Advocates of the case closing;
- **Write a closing letter to the client** summarizing the outcome of the case, any expected deadlines or obligations the client must be aware of, and notifying the client that because all work agreed to in the retainer agreement has been completed, the attorney/client relationship is terminated;

- Fill out The Advocates [Case Closing Form](#). The Advocates will mail this form to the volunteer attorney upon case closing; and

Consulting Attorney

Most of The Advocates' volunteer attorneys have little or no prior immigration law experience. The consulting attorney is an experienced immigration practitioner who has agreed to advise the volunteer attorney during the process. The responsibilities of the consulting attorney include the following:

- Talking with the volunteer attorney as soon as possible after the assignment of the case to introduce yourself and answer questions;
- Review submissions to the asylum office and immigration court as needed;
- Provide additional support, advice, and recommendations as needed, including possibly attending hearings or client meetings if mutually agreeable;
 - The consulting attorney is not the attorney of record in the case. It remains the volunteer attorney's responsibility to meet all client deadlines and appear at all scheduled interviews or hearings.
- Review the client's case to determine if the client is eligible for other, non-asylum immigration relief.
- Provide an annual accounting each July of the hours spent, hourly billing rate, and expenses donated to The Advocates in each case.



DHS/USCIS & EOIR Contact Information

A. Freedom Of Information Act Form (“FOIA”)

National Records Center
FOIA Division
P.O. Box 648010
Lee’s Summit, MO 64064-0810

B. USCIS - Chicago Asylum Office

181 West Madison, Suite 3000
Chicago, IL 60602
Phone: (312) 849-5200
<http://www.iscos.gov/portal/site/uscis>

C. DHS/USCIS – Nebraska Service Center

For Regular Postal Mail
Department of Homeland Security
Citizenship & Immigration Services
Nebraska Service Center
P.O. Box 87589
Lincoln, NE 68501-7589

For Commercial Deliveries, i.e. FedEx
Department of Homeland Security
Citizenship & Immigration Service
Nebraska Service Center
850 S. Street
Lincoln, NE 68508

D. Office of Chief Counsel (“OCC”)

Location Address
Office of Chief Counsel
1 Federal Drive, Suite 1800
Ft. Snelling, MN 55111
Phone: (612) 843-8935

Mailing Address
Office of Chief Counsel
1 Federal Drive, Suite 1800
Ft. Snelling, MN 55111
Phone: (612) 843-8935

Contact Information – 2

E. Immigration Court

Executive Office for Immigration Review
1 Federal Drive, Suite 1850
Ft. Snelling, MN 55111
Phone: (612) 725-3765
Information Line: (800) 898-7180
Fax: (612) 725-3716
<https://www.justice.gov/eoir/bloomington-immigration-court>

Immigration Judges

Judge Susan E. Castro
Judge Kristin W. Olmanson

F. Board of Immigration Appeals (“BIA”)

Location Address – for Overnight/Courier
Board of Immigration Appeals, Clerk’s Office
5107 Leesburg Pike #2600
Falls Church, VA 22041
Phone: (703) 605-1007

Mailing Address
Clerk’s Office
P.O. Box 8530
Falls Church, VA 22041

G. Federal Appeals Court

Eighth Circuit Court of Appeals
Office of the Clerk
Thomas F. Eagleton Courthouse
Room 24-329
111 South 10th St.
St. Louis, MO 63102
Phone: (314) 244-2600