

# University of California at Berkeley

## International Human Rights Law Clinic

Seminar - Spring 1999 - Tuesdays, 3:00 - 5:00 pm, Boalt 382

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### Course Materials

1. Immigrant Legal Resource Center, *Winning Asylum Cases*
2. Course Reader (distributed to you through the clinic)

### Class Format

During the seminar sessions we will train you in legal skills you need to represent asylum applicants and to engage in human rights work. We will also have at least three seminar sessions which will be devoted to *Case Rounds*. We will take the opportunity during these sessions to discuss in depth particular issues that have arisen in your cases and projects which pose common problems and offer the opportunity for students jointly to analyze and explore these important issues. We will also conduct practice sessions of hearings and presentations which students will conduct before administrative agencies, courts or human rights fora.

In addition, guest speakers will talk to the seminar about particular topics. Due to the availability of guest speakers (there will be at least one evening session when an asylum officer will come speak to the seminar) and the unpredictable nature of case work, there will be some adjustment in the order of the seminar sessions. However the topics which will be covered in the course of the semester are listed below.

## Course Outline

### Session 1: Tuesday, January 19

#### Introduction and Overview of Clinic

Introduction and Overview of Clinic: We will introduce how the Clinic works and discuss potential cases and projects. Students will sign up for Office Orientation sessions which will be conducted during this week.

Preparation for Interview Simulations: In this class we will assign roles and distribute information for the Tuesday, January 26th session.

We will also distribute readings for the Clinical Workshop which will be held Friday, January 29th, from 12:30 - 4:30 pm.

## **Session 2: Tuesday, January 26**

### **Interviewing Asylum Clients: Practice Simulations**

You will be given two case scenarios, in one you will play the client and in the other you will play the interviewer. Prepare your roles based on the materials that you were given on Tuesday, January 19th. After each simulation, the student playing the interviewer will give a brief self-critique, followed by a critique by the "client." The memorandum "Critiquing a Colleague's Performance" will help you prepare a self-critique as well as critiquing your colleague.

Readings:

- Materials distributed in class on Tuesday, January 26
- Winning Asylum Cases, 3app2 through 3app11 (appendix to Chapter 3)
- Course Reader:
  - Critiquing a Colleague's Performance
  - Guidelines for Working With Interpreters (Optional)
  - Troubled Communication: Cross-Cultural Misunderstandings in the Asylum-Hearing
  - INS/Asylum Officer Training, Assessing Credibility

## **Session 3-4: Friday, January 29**

### **Clinical Workshop: Dealing with Difference and Client Interviewing**

Note: The workshop will take place in Boalt Room 115, 12:30-4:40 pm.

All students enrolled in clinicals this semester will attend this joint workshop. The workshop will begin with a brown bag lunch (provided by the Center) during which time we will introduce the work of each clinic. The training sessions will follow. The first session will consist of small group sessions which will raise common issues and concerns regarding issues of difference in the lawyer-client relationship. The second session will consist of a demonstration and critique of a client interview.

Readings:

- Readings for this session were distributed to you at the January 19th session. If you need a set of readings, please see Lynn Purcell.

## **Session 5: Tuesday, February 2**

### **Asylum Law Training**

Readings:

- Winning Asylum Cases: Chapters 2, 3 (no appendices), 4, 5, and 7.

## Session 6: Tuesday, February 9

### Interviewing Survivors of Trauma

Guest Lecture: Dr. Harvey Weinstein of the Center for Human Rights, University of California, Berkeley.

Readings (Course Reader):

- Weinstein, et. al, *Torture and War Trauma Survivors in Primary Care Practice*
- Van der Veer, *Counseling and Therapy with Refugees*
- Excerpt from *Survivors International Manual*

## Session 7: Tuesday, February 16

### Asylum Case Planning

We will discuss how to develop a case plan and strategy for asylum cases, using current cases as examples.

Readings:

- Winning Asylum Cases: Chapters 8, (not appendices 8C or 8D), 13, 14
- Course Reader: CALS Case Plan

## Session 8: Tuesday, February 23

### Drafting Affidavits and Legal Story Telling

Preparing an asylum application and engaging in human rights advocacy involve persuasively telling the story of your client or the group for which you are advocating. In this session we will discuss some of the strategic decisions involved in this type of story-telling and introduce some practical tools for drafting affidavits, the most common type of legal story-telling undertaken do in the Clinic.

Readings:

- Winning Asylum Cases: Pages 11.7 through 11.13 and Chapters 12, 16; review sample Clinic asylum application (I-589, declaration, documentary index) behind *Sample Application Materials* tab.
- Course Reader:
  - White, *Marking Absences: Holocaust Testimony and History*
  - Transcript excerpt, *Ceballos-Castillo v. INS*
  - *Ceballos-Castillo v. INS*, 904 F.2d 519 (9th Cir.1990)

## Session 9: Tuesday, March 2

### Mock Lobbying Session

We will conduct a mock lobbying session for the students working on the counter report to the INS-commissioned study on Gays and Lesbians in Mexico.

Readings:

- Readings for this session will be distributed in advance.

### **Session 10: Tuesday, March 9**

#### **Case Rounds**

During our Case Rounds session we will discuss issues that have arisen in the case work and human rights projects which have general application to case work in the Clinic.

### **Session 11: March 11**

Seminar meets twice this week at 6:30 p.m.: Note time change Asylum Officer

During the Asylum Office Interview session, an asylum officer will speak to us about the asylum interview process.

Reading:

- Excerpt from F. Kassindja, *Do They Hear You When You Cry*

### **Session 12: Tuesday, March 16**

#### **Media Advocacy**

We will explore the theoretical, practical, and ethical issues regarding how and when to use the press in individual cases and human rights advocacy.

Readings:

- Readings for this session will be distributed in advance.

### **Tuesday, March 23: No class - Spring Break**

### **Session 13: Tuesday, March 30th**

#### **Case Rounds**

### **Session 14: Tuesday, April 6 or Tuesday, April 13**

#### **Closing Statements**

Practice session for closing statements in asylum interviews.

### **Session 15 - Tuesday, April 27**

#### **Wrap up and celebration**

Students will report back on asylum interviews and reflect on Clinic experience.