

1

Firm News | July 30, 2024

From Persecution to Protection: Troutman Pepper Attorneys Take on Pro Bono Immigration Matters, Addressing Acute Needs

RELATED PROFESSIONALS

Taylor N. Henderson | Linnea J. Kelly | Christopher R. Healy | Anthony Vale | Sara B. Richman | Andrew R. Rogoff | Kaitlin L. O'Donnell | Rebecca E. Younker

RELATED OFFICES

Philadelphia | Wilmington

In the field of immigration law, the need for counsel is acute and often unfulfilled. Complex immigration laws and enforcement practices make it challenging for many immigrants, even those with the most compelling cases, to secure their right to stay in the U.S. Those who can afford an attorney or obtain pro bono counsel are significantly more likely to succeed.

Responding to this critical shortage, fellows in The Pepper Center for Public Service, alongside Troutman Pepper associates and partners, have volunteered their time to assist immigrants who are affirmatively seeking asylum, challenging removal, or otherwise trying to acquire legal status in the U.S. These efforts have led to many clients being released from custody, winning asylum, or securing legal permanent status.

"There is a colossal unmet need for counsel in this area. Given the complexities and nuances of these proceedings, and the enormity of the consequences, it is unfathomable that so many immigrants are left to represent themselves in these proceedings. We are lucky to have passionate and dedicated pro bono volunteers from the firm and the Pepper Center who take on difficult cases and achieve life-changing results for their clients. We'd love to see more lawyers get involved so that we can ensure more immigrants receive the legal representation they deserve," said Partner Sara Richman, who chairs the firm's Pro Bono practice.

FLEEING ABUSE: ATTORNEYS HELP MOM, FOUR CHILDREN SECURE ASYLUM

In April 2024, Troutman Pepper secured asylum for a pro bono client from Jordan who fled her abusive husband with her children. Despite seeking help from Jordanian authorities, she was repeatedly told to reconcile with her husband. Upon arriving in the U.S. in 2019, she finally had the chance to escape her abuser.

In late 2023, the Pennsylvania Immigration Resource Center (PIRC) enlisted Linnea Kelly, an associate in Troutman Pepper's Health Sciences Practice, and Andy Rogoff, a Fellow with the Pepper Center for Public Service, to handle the case. They collaborated with Dr. Hasan Hafidh from the University of Leeds, who provided a report supporting the client's claim that Jordan would not protect her from abuse.

On April 11, Kelly successfully presented the case before an immigration judge. The client, who endured over a

decade of abuse, gave a difficult testimony corroborated by text messages and witness statements. The judge, convinced by the evidence and expert report, granted asylum to the client and her four children.

"This case was a powerful reminder of the impact that legal advocacy can have on individual lives," Kelly said. "Being able to secure asylum for our client and her children, who have endured so much, was an incredibly rewarding experience. It underscores the importance of our work, and I am honored to have contributed to this significant milestone in our client's journey to freedom and safety."

ESCAPING THE CARTEL: JUDGE GRANTS CAT PROTECTION TO PRO BONO CLIENT

Troutman Pepper also recently secured protection under the Convention Against Torture (CAT) for a pro bono client from Mexico who fled death threats from a violent cartel and corrupt police officers. Despite seeking help from local authorities, he faced continuous harassment and threats to his life.

In late 2020, the PIRC enlisted Chris Healy, Counsel at Troutman Pepper, along with Senior Counsel and Pepper Center Fellow Anthony Vale, Associate Kaitlin O'Donnell, and Alumna Robyn English-Mezzino, to handle the case. They retained an expert witness, a professor with extensive expertise on organized crime and police corruption in Mexico.

In June 2024, Healy successfully presented the case before an immigration judge. The client, who endured severe threats and harassment, gave a difficult testimony corroborated by a declaration from his mother-in-law and expert testimony. The judge, convinced by the evidence and expert report, granted CAT protection to the client.

"Our client is relieved," Healy said. "I'm very proud of the work this firm has done for him. It's likely he'll be able to stay in the U.S. for the rest of his life. This decision not only grants him safety, but also the opportunity to rebuild his life in the country he considers home."

A DOUBLE WIN: ATTORNEYS SECURE ASYLUM FOR HAITIAN CLIENTS

After a seven-year legal battle, an Immigration Court judge recently granted asylum to two Troutman Pepper pro bono clients. HIAS Pennsylvania, a nonprofit that provides legal and social services to immigrants, refugees, and asylum seekers, referred the clients to Troutman Pepper in 2017. The Haitian clients spoke no English at the time and were introduced to the firm through Alumna Cassie Juste, who used her Haitian Creole skills to bridge the communication gap and get the representation started.

The journey was fraught with challenges, including initial interviews at the Newark asylum office where U.S. Citizenship and Immigration Services deemed one of the cases lacked sufficient corroboration for political persecution, while the other's claim of persecution based on religion and membership in a Particular Social Group (PSG) also was dismissed.

The pro bono team, which included Associates Taylor Henderson and Rebecca Younker, and Senior Counsel and Pepper Center Fellow Andy Rogoff, prepared and tried the case, receiving advice and support from Jessica Daly of HIAS PA.

In court, Henderson and Younker handled the direct examination. After the close of evidence, the judge swiftly explained her decision to grant asylum to both clients. One case was approved based on fear of future political persecution, while the other was granted based on past and potential future religious and PSG persecution. The judge then adjourned the proceedings for about 20 minutes before returning to deliver a comprehensive opinion.

In her opinion, the judge criticized some of the Office of the Principal Legal Advisor's attempts to impeach the clients as "trivial" and relied heavily on the expert's declaration provided by the pro bono team. She found both clients credible, which was a significant factor in her decision. Since the case was first referred to Troutman Pepper, the clients have made remarkable strides. One client now works as a nursing assistant and is enrolled in college, with about a year remaining to complete her bachelor's degree in nursing. And the other has established his own construction company and drives a school bus for 30 hours per week during the school year.

"It was a privilege to represent these two courageous people," Rogoff said. "This case not only changed their lives but also serves as an inspiring example of what can be achieved through dedication and teamwork."