



# COLUMBIA LAW SCHOOL

## **Immigrants' Rights Clinic Wins Asylum and SIJS for More Than A Dozen Clients**

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Columbia Law School's Immigrants' Rights Clinic (IRC) is wrapping up another successful academic year. More than twenty law students participated in the IRC from the Fall 2015 semester to the Spring 2016 semester. Collectively, they secured immigration relief for more than a dozen clients, ranging in age from three through adulthood, who hail from across the globe, from Burundi to El Salvador to Syria. Students represented their clients in proceedings before the asylum office, before Immigration Court, and in state court, and helped them win asylum or Special Immigrant Juvenile Status.

"Columbia Law students are providing the highest quality of representation to the most vulnerable immigrants among us. There is no right to counsel for immigrants in removal proceedings, even for children," said Associate Clinical Professor Elora Mukherjee, the Director of the IRC. "Our law students are literally saving and transforming lives."

While most IRC clients are reluctant to publicly share their experiences given the extensive trauma that they have experienced, three IRC clients have come forward in hopes of helping others understand the plight of asylum seekers in the United States.

### ***Gilma and her three-year old daughter from El Salvador: Persecuted for Cooperation with the Police***

Represented by Carlos Estevez '17 and Melissa Fedornak '17

Gilma Noemy Figueroa Orellana lived happily in El Salvador with her daughter and husband, Rene Orlando. She taught bible classes in her community and played the piano at church events. Gilma's students were children of all ages who were very fond of her. She lived close to her mother as well as her husband's family. Her husband, Rene Orlando, worked hard in agriculture in order to provide for his family.



Rene Orlando frequently met and worked with police officers from the nearest city. The local members of the MS-13 could not tolerate Rene Orlando's relationship with the police. The MS-13 is a powerful gang with connections throughout El Salvador and Central America. The gang commits violent acts against police officers and anyone who tries to oppose or report them. In

2014, the gang started threatening Gilma's husband and family because of his involvement with the police. After months of threats, the gang kidnapped and murdered Rene Orlando.

Gilma fled her town and went into hiding with her daughter, but the MS-13 found them. The gang members continued to stalk her until she and her daughter were finally able to escape from El Salvador just several weeks after her husband's murder.

The journey to the United States was far from easy for this mother-daughter pair. Gilma's daughter, then just one-year-old, almost fell from a cliff during a difficult hike. Gilma herself often struggled on the journey but managed to persevere for the sake of her daughter. Upon arriving in the United States, both Gilma and her daughter were detained at a secure federal facility in Karnes City, Texas for months, until they posted bond.



After Gilma's mother and sister won their immigration cases with representation from the IRC in [August 2015](#), the IRC took on the cases of Gilma and her daughter.

Columbia Law students Carlos Estevez '17 and Melissa Fedornak '17 began working with Gilma and her daughter in September 2015. Preparing for the trial on their asylum claims forced Gilma to confront painful traumatic memories. "It was an honor to work with Gilma. She has had to live through so much loss and fear, but she showed so much strength when we asked her to open up to us and relive some of her most terrible memories," said Fedornak.

With representation from Estevez and Fedornak, Gilma and her daughter won asylum on February 8, 2016. "I never imagined that I would be able to make such a difference in law school. Working with the clinic was rewarding not only because of the legal experience but also because we were able to meet real life heroes. After enduring unimaginable hardship, our client risked everything that she had for the sake of her daughter," said Estevez.

Gilma and her daughter now live with other family members here in the United States. Gilma has found a new church community which she frequents. She hopes to teach children and play the piano for her community once again. Estevez and Fedornak continue to change lives through work in the clinic.

### ***Ansumana from The Gambia: Persecuted on Account of Sexual Orientation***

Represented by Amy Elmgren '16, Brittany Roehrs '16, and Taj Tucker '16

Ansumana, a 25-year-old man from The Gambia who faced persecution for his sexuality, won asylum and was released from a federal immigration detention center on April 1, 2016.

Ansumana, like other non-heterosexual people in The Gambia, lived in constant fear that his sexual orientation would be revealed to his community or the government. In The Gambia, laws

prohibiting same-sex activity have long prison sentences, including life imprisonment for anyone considered to have committed “aggravated homosexuality.” Anyone caught participating in a consensual same-sex act in The Gambia is threatened by police enforcement and attacks by anti-gay vigilantes.

Ansumana’s worst fears were realized in mid-March 2015. He and his long-term boyfriend were spending an evening together, when they heard a knock at the door and officers shouting, “POLICE.” Ansumana managed to flee the scene and remained in hiding until he was able to escape to the United States. His boyfriend has been missing since that evening.

Upon arrival at John F. Kennedy Airport on April 1, 2015, Ansumana was placed in federal custody where he requested asylum. Immigrations and Customs Enforcement detained him at the Elizabeth Detention Center in New Jersey while he pursued his case. Columbia Law students Amy Elmgren ’16, Brittany Roehrs ’16, and Taj Tucker ’16 represented Ansumana.

Tucker said, “Ansumana was brave to share such intimate parts of his story, and to recount painful experiences of his past, with us for his case. It is not easy work to do, continually retelling traumatic events in order to eventually be deemed worthy of immigration relief. But he undertook it gracefully. I am happy to have met him and thankful to have had him as a client.”

Ansumana’s case highlights the danger that bisexual and homosexual individuals face in The Gambia, other parts of Africa, and around the world.

In her April 1, 2016 opinion, the Immigration Judge found that Ansumana had a well-founded fear of future persecution on the basis of his belonging to a particular social group as a bisexual man living in The Gambia. Ansumana was released from Elizabeth Detention Center the evening of April 1, after spending exactly one year in detention.

Roehrs said that being a part of the clinic and being on this case team was “the most rewarding part of [her] law school experience.”

“Particularly when representing someone who has been detained for such a long period of time, the weight of the impact you have the opportunity to make is so pronounced,” she said.

Elmgren echoed these sentiments stating “it was amazing to see Ansumana with his family members, finally safe and free after spending an entire year in immigration detention, uncertain of his future.”

### ***Preparing An Asylum Case***

To prepare Gilma and Ansumana’s asylum cases, the law students took on the role of lead counsel. Elmgren, Estevez, Fedornak, Roehrs, and Tucker gathered evidence in support of their clients’ cases, collected country conditions and expert opinions, and drafted extensive briefs based on the applicable law. They prepared their clients to testify at their trials in Immigration Court. The IRC also secured pro bono medical evaluations for these and other clients, which were made possible due to generous partnerships with Physicians for Human Rights and

Columbia University Medical Center's Human Rights Institute.

In addition to representing individuals, the Immigrants' Rights Clinic at Columbia Law School collaborates with local and national immigrants' rights organizations on regulatory and legislative reforms, impact litigation, grassroots advocacy, and strategic planning. Students in the clinic have also [represented asylum seekers](#) detained at the secure federal detention center for immigrant families in Dilley, Texas run by Immigration Customs and Enforcement.