



## ESPERANZA IMMIGRANT RIGHTS PROJECT



### Pro Bono Guidelines for Representation

As a pro bono attorney with the Esperanza Immigrant Rights Project (Esperanza) of Catholic Charities of Los Angeles, Inc., you have offered to represent an individual applying for relief from removal from the United States.

Before you begin working with this case, we ask that you carefully read and commit to the following guidelines. It is not an exaggeration to say that the life of your client is at stake.

#### **Zealously represent the client**

People seeking relief from removal are most successful when their attorneys have invested a great deal of time in preparing their cases and advocating on their behalf. The length of a case may span anywhere from a few to several months. Occasionally, a case may extend longer. Therefore, do not accept a case at this time if you are not able to commit to completing the case.

We strongly suggest that you meet with the client within two weeks of accepting a case. If your client is detained, you will have to conduct all meetings with your client at his detention center. If your client is not detained, or is released from detention during your representation, Esperanza's conference room is available for you to meet with your client. If you are unable to meet with the client within the first two weeks of accepting a case, please inform Esperanza as soon as possible.

#### **Remuneration**

Esperanza has determined that your client does not have the means to pay an attorney in the U.S. Therefore, your representation of the client is on a pro bono basis, and you may neither request nor accept remuneration for your client's case. In addition, you will be responsible for all costs reasonably associated with representation. This will include costs associated with photocopying, document delivery, postage, and might include, if necessary, costs associated with expert witnesses, translators/interpreters, or long-distance phone calls. You are not responsible for application filing fees, transportation costs for your client, or in-court interpreters. A fee waiver should be sought where available.

When you first meet with your client, you should execute a retainer agreement outlining the scope of your representation and delineating your responsibilities and your client's responsibilities. A sample Client/Attorney Agreement is attached for your convenience. You may also use your own agreement.

#### **Your responsibilities**

Once you accept a case you must become the attorney of record. You should meet with your client within two weeks and promptly file the Notice of Appearances with the Department of Homeland Security (Form G-28) and the Immigration Court (Form E-28). Forms may be obtained from the USCIS Website. The Immigration Court Practice Manual – available at <http://www.justice.gov/eoir/vII/OCIJPracManual/ocijpage1.htm>, will be a useful tool. Please provide a copy of your E-28 to Esperanza.

As the attorney of record you will assume all the responsibilities that apply to an attorney of record in an administrative proceeding. These include but are not limited to the following: prompt filings; zealous

advocacy; the preparation of supporting evidence; and the maintenance of attorney-client confidentiality. Should your client be ordered removed, you are not obligated to continue representation through the appellate process, however please consider this option if possible.

We ask that you provide us with the completed Pro Bono Attorney Acknowledgement Form attached at your earliest convenience. If not previously provided to Esperanza, please also provide a copy of your photo ID and proof that you are a member of a state bar. Esperanza will independently verify that you are a member in good standing of a state bar.

Moving forward, it is vital that Esperanza be provided with regular updates as to the progress of your case. In particular we ask that you update us monthly as to any filings made with the Court and the date on which filings were made.

### **Esperanza's involvement**

Esperanza attorneys are available and happy to consult with you as problems arise in the course of your representation. If you attended an Esperanza CLE or training prior to taking your case, the information you received should go a long way towards answering procedural questions and orienting you to applicable legal standards. If you don't find what you need in these materials, or you require any other assistance please feel free to contact us.

Due to the volume of cases Esperanza refers out, we are generally unable to co-counsel or enter appearances on referred cases. If Esperanza has previously entered an appearance, Esperanza will withdraw from representation and not remain counsel of record in your client's case.

Esperanza is unable to accept a referred case back once it has been assigned to you. If you are unable to complete your client's case, it is your responsibility to find attorney to provide pro bono representation and inform Esperanza. We cannot emphasize enough the importance of your role as the responsible attorney in your client's case. Should you not feel ready to take on this commitment please speak to Esperanza about other volunteer opportunities.



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**Pro Bono Attorney Acknowledgment**

I \_\_\_\_\_ acknowledge that I have received and reviewed the Guidelines for Representation set forth by Esperanza and that I agree to adhere to its terms.

Name and A# of Client: \_\_\_\_\_

Name of Mentor Attorney (if applicable): \_\_\_\_\_

Preferred Contact Method: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this form to:

XXXX XXXXX  
Pro Bono Coordinator  
Esperanza Immigrant Rights Project  
Catholic Charities of Los Angeles, Inc.  
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Los Angeles, CA 90015

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Fax: (213) 487-XXXX  
E-Mail: xxx@ccharities.org