COURSE NAME: Immigration Law & The Violence Against Women Act: Hope for Survivors

COURSE NUMBER: 8738V

PROFESSOR: Mira Mdivani

ESSENTIAL PREREQUISITES: None

DESIRABLE PREREQUISITES: None

COURSE BOOKS: Title: Immigration Law & The Violence Against Women Act: Hope for Survivors
Authors: Mira Mdivani, Emily Haverkamp, Samara Nazir
Publisher: Vertex Press ISBN: 0-9774524-7-6
Available at UMKC Bookstore in February 2009

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE:

This is a pass/fail course. There is no final examination. Students will be evaluated based on a combination of in-class participation, oral and written exercises. Examples of assignments include: drafts of Client Checklist, Case Timeline, Case Flowchart, Index of Evidence, drafts of the petition and supporting documents, interviewing victims and witness, drafts of letters to clients and the government, drafts of memos to colleagues and the file, summaries of relevant evidence, expert testimony.

SUMMARY DESCRIPTION OF COURSE:

A practical lawyering skills course in which students learn how to help abused immigrant women and children to apply for permanent residence in the United States, and how to help victims of violent crimes to apply for legal status. The course includes a short overview of the applicable immigration law and instructs in such matters as client interviewing; analysis of cases; working with victim advocates and experts; drafting affidavits, evidence indexes, petitions, motions and supporting documents; preparation of checklists for clients, case flowcharts, and case timelines; the review and development of evidence; and the drafting of letters to clients and the government.

COURSE CONTENT:

I. Overview of Immigration Law Applicable to Survivors of Domestic Violence and Victims of Other Crimes
   A. Immigration Visa Petition I-360, I-751 Removal of Condition and U Visa overview
   B. How to work with vulnerable clients
C. How to analyze cases

D. How to prepare timelines for clients

E. How to prepare checklists for clients

F. How to prepare case flowcharts

II. I-360 Petitions Under Violence Against Women Act

D. How to Prepare an I-360 Petition
   1. How to review evidence
   2. How to work with Experts
   3. Affidavits by Client and Witnesses
   4. How to prepare a case index
   5. How to prepare supporting evidence

E. Defending a Request for Evidence or Notice of Intent to Deny
   1. How to Review the Request for Evidence
   2. How to Draft a Reply to Request for Evidence

F. Defending a VAWA client in Removal Proceedings
   1. How to prepare your case
   2. How to Draft a Motion to Reopen

III. VAWA Relief for Conditional Permanent Residents
    A. I-751 Based on Violence or Extreme Mental Cruelty
    B. I-751 Based on Divorce
    C. Preparation of I-751 Petition to Remove Conditions on Permanent Residence
       1. How to review evidence
       2. How to work with Experts
3. Affidavits by Client and Witnesses
4. How to prepare a case index
5. How to prepare supporting evidence

IV. U Visas for Victims of Violent Crimes, including Domestic Violence
   A. Overview of the Law
   B. How to Prepare U Visa Petitions
      1. How to review evidence
      2. How to work with Experts
      3. Affidavits by Client and Witnesses
      4. How to prepare a case index
      5. How to prepare supporting evidence

V. Interplay of VAWA, divorce and custody issues in cases involving immigrant survivors
   A. Use of experts if divorce and custody cases to explain immigration situation of alien spouse
      1. How to prepare your expert testimony
   B. Affidavit of Support - Cheshire doctrine
      1. How to prepare your expert testimony
      2. How to prepare a Cheshire brief

VI. Review

RELEVANCY OF COURSE FOR CAREER PURPOSES: This course will help students interested in public interest and human rights law. It will also help those who are interested in practicing any other areas of law by (1) learning practical lawyering skills and (2) learning how to make meaningful pro bono work part of their “regular” practice.