

Product Progress Assessment

So far, I think that my Final Product has been going really well. There certainly have been bumps along the way, but I think that with continued hard work, I will be able to finish my Final Product on time. One concern I have at this point is that what I am working on will not require the full length of time required to complete the Final Product. In other words, I think with focused effort, I will be able to finish the pamphlet that I had planned on completing sooner than the required hour count will be fulfilled. Because of that, I'm considering writing a report in addition to the pamphlet about common trends that I've researched in domestic violence law especially in connection to what I've seen at Mosaic. I would like to speak with my mentor about this before deciding to add it to my calendar and updated proposal, but it's something that I'm definitely considering for the next few weeks, because I feel like I could handle it. I don't think it would be as extensive as that of my Original Work, but maybe just a written paper or something that could supplement the pamphlet would be a good addition to the product overall.

That being said, organizing a time to speak with mentor has become a previously unexpected issue. I know that I could just email her with quick and manageable questions, but there's something about being able to bounce ideas off of her in person that I feel like benefits me a lot more. One thing I think I need to take away from ISM from here on out is how to adapt a little better to the situation. If I am unable to drive down to Dallas one week for whatever reason, I can't let that get in the way of getting my work done to the best of my ability, just because I might not be able to meet with Anna face to face.

My mentor has had more of a hands-off approach when it comes to designing my Final Product. I know that she'll give me input if needed, but her role has more so been to give me the observational experience to create the pamphlet how I see fit. I am still waiting to go in and talk to people at Mosaic to help build my FAQ section.

From here, I still need to work on digitally creating my pamphlet. I had intended to have this done earlier on, but with Spring Break kind of breaking my progress because I was out of town, I haven't picked up where I need to be for my pamphlet to be ready to print in a few weeks. Between the pamphlet and the possibility of an additional paper about law trends, I know that the next few weeks will definitely be busy, but I think with strong planning and a focus on the what this could do for Mosaic and how accomplished I'll feel when I finish it, it will all be worth it.

Product Log

Date	Hours	Description
January 18, 2018	1	Mentor Visit with Anna where we thoroughly discussed my goals for Final Product-- she challenged me to come up with some ideas to email her.
January 25, 2018	0.5	Emailed final product ideas to Anna after brainstorming them with my peers in ISM.
January 28-29, 2018	1.5	Wrote the rough draft of my Final Product Proposal.
January 30, 2018	1.25	Had another mentor visit with Anna where we discussed changes I could make to the ideas I had sent her. I also read primary documents about domestic violence law.
January 31, 2018	0.5	Made changes to the Product Proposal after speaking with Anna, and then I emailed it to her.
February 6, 2018	1	Sat in on a client visit at Mosaic and took diligent notes to determine important things to clients for my Final Product.
February 12, 2018	0.25	Read Anna's evaluation of my Proposal. I made a few final tweaks and then submitted it to the Learning Hub.
February 15, 2018	1.25	I sat in on another client meeting, taking notes to determine what clients most want to know about their cases.
March 6, 2018	1.25	Went to the Mosaic office and worked for a while, in a way that I was able to discuss my ideas with Anna nearby.
March 8, 2018	1.5	Researched different information about domestic violence law and wrote a Research Assessment from one of the articles that I ended up annotating, as well.
March 10, 2018	1	Created a paper mock-up of what the pamphlet could include. I decided I needed to do more research before I could fill all the spaces I would have.
March 17, 2018	1.5	Compiled different articles about domestic violence law from the ones I didn't use in my Research Assessment and took notes to add to my research.
March 24, 2018	0.5	Updated my calendar to reflect the work that I have

		actually accomplished in my Final Product.
March 26, 2018	1.5	Created another paper mock-up, now with some more concrete placement of information. Then I moved to the computer and researched different programs that would be best for the actual digital pamphlet.
Total:	14.5	

Research

Best Practices Guide for Lawyers Representing Victims of Domestic Violence

- lawyer must first decide whether or not to represent this particular client in the type of legal matter involved
- the lawyer should read the relevant statutes and case law so as to be able to adequately and ethically advise the client regarding his or her legal options and their respective consequences.
- “the lawyer should have, at a minimum, basic litigation skills, an understanding of the burden of proof, knowledge of the requirements to obtain a protection order and remedies available to victims under the statutes of their particular jurisdiction.”⁴In Illinois, the law governing civil orders of protection is found in the Illinois Domestic Violence Act. (hereinafter referred to as the “IDVA”).
- “the lawyer should understand the potential risk of escalated violence due to litigation, and how the experience of domestic violence, sexual assault and/or stalking may affect the client-lawyer relationship, including the process of establishing rapport with and gathering information, evidence and case direction from the client.”
- should be familiar with basic statistics regarding the incidence of domestic violence, the dynamics of power and control in abusive relationships, common characteristics of an abusive relationship,⁷ common factors that increase the risk of lethality in an abusive relationship, and the effects of domestic violence on the victim and children.

Question #2: Once I decide to take the case, how do I effectively represent the client?

- lawyer must discuss the safety of the client and any children with respect to the representation--safety should always be the primary factor in any decision made by the client.
 - A client (and his or her lawyer) needs to understand that a client is often in increased danger for escalating violence after a separation from the abuser (this is commonly referred to as “separation violence”)
 - assessment of a client’s safety and the threat of escalated violence will impact vital decisions that the client must make with respect to any legal course of action or strategy

Because a client who is a victim of domestic violence invariably has a variety of needs including, but not limited to, safety planning, economic independence preparation, physical or mental health issues, or substance abuse issues, etc., the lawyer should encourage the client to reach out to these other professionals to help the client address these issues and successfully navigate through the stress of litigation.

Violence Against Women Act (VAWA) Provides Protections for Immigrant Women and Victims of Crime

May 7, 2012

With approximately 19 million immigrant women and girls in the United States, nearly half of the foreign-born population is female. Unfortunately, many of these immigrant women, particularly those who are unauthorized, are vulnerable to abuse and exploitation. Immigrant women are more likely to experience exploitation while entering the country, while working, and even within their homes. For these and other reasons, federal law provides numerous forms of protection for immigrant women. This fact sheet provides basic information about three of these forms of protections: “U” visas for victims of crime, “T” visas for victims of severe forms of trafficking, and “self-petitioning” under the Violence Against Women Act (VAWA).

Why are female immigrants uniquely vulnerable to exploitation?

- more likely to work in informal labor market as domestic workers and caretakers and are less able to assert their rights or to be protected under current laws
- also vulnerable to rape, sexual abuse and harassment, or other gender-motivated exploitation in the workplace
- Some immigrant women are brought to the US through human trafficking networks and are forced to work under conditions of surveillance, threats of deportation, and physical harm.
- immigrant women may depend on a U.S. citizen or lawful permanent resident spouse to petition for them through the family-based immigration system or their legal status may be tied to their spouse’s employment-based immigration status.

How has Congress sought to protect immigrant women?

- The Violence Against Women Act (VAWA) of 1994 included provisions to allow immigrant victims of domestic violence to obtain immigration relief independent of their abusive spouse or parent through a process called “self-petitioning.”
- The Battered Immigrant Women Protection Act of 2000 (VAWA 2000) created new forms of immigration relief for immigrant victims of violent crime (“U” visas) and victims of sexual assault or trafficking (“T” visas).
- Violence Against Women Act of 2005 expanded these protections and included some victims of elder abuse.

What is a U visa?

A U visa grants the victim permission to live and work in the United States and may result in the dismissal of any case in immigration court filed against the immigrant.

Noncitizens with U visas are eligible to receive a work permit. Applicants who apply from within the U.S. automatically receive work authorization when the application is approved. Family members included in the victim’s application are eligible to apply for a work permit.

There are up to 10,000 U visas available each year for primary applicants. Spouses and unmarried children (and, if the applicant is under 21, parents and unmarried minor siblings) of U-visa applicants may also qualify to be included in the victim’s application. There is no limit on the number of visas available for dependent family members.

Who may qualify for a U visa?

To qualify for a U visa, a noncitizen:

- Must have suffered “substantial physical or mental abuse” as a result of being the victim of certain criminal activity. The criminal activities include rape, torture, trafficking, incest, domestic violence, sexual assault, abusive sexual contact, prostitution, sexual exploitation, female genital mutilation, being held hostage, peonage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, perjury, or attempt, conspiracy, or solicitation to commit any of these crimes. The criminal activity must have violated the laws of the United States or occurred in the United States or one of its territories or possessions;
- Must possess information concerning the criminal activity;
- Must be helpful, have been helpful, or be likely to be helpful to a federal, state, or local investigation or prosecution of the criminal activity. (For minors under

- 16 years of age, a parent, guardian, or “next friend” who has information about the criminal activity may be the one to cooperate with law enforcement.);
- Must obtain a certification from a law-enforcement official, prosecutor, judge, DHS, or other federal or state authorities investigating or prosecuting the criminal activity; and
 - Must be admissible under immigration law, or must qualify for a waiver of inadmissibility.

How long do U visas last?

A U visa is valid for up to four years. A U visa may be extended if the certifying law-enforcement agency confirms that the U-visa holder is required to remain in the United States to assist the investigation or prosecution.

After three years of continuous presence in the United States, a U-visa holder is eligible to apply for lawful permanent resident status (a “green card”) if he or she meets certain requirements, has not refused to provide assistance in the criminal investigation or prosecution, and can prove that remaining in the United States is connected to humanitarian need, will promote family unity, or is in the public interest. There is no numerical limit on the number of U-visa holders who may adjust to lawful permanent resident status per year.

What is a T visa?

The T visa was created to provide immigration relief to victims of severe forms of human trafficking, which is defined as (1) sex trafficking in which a commercial sex act is induced by fraud, force, coercion, or in which the victim is younger than 18 years of age, or (2) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through use of force, fraud, or coercion for the purpose of subjection to involuntary servitude or slavery.

A T visa protects recipients from removal and gives them permission to work in the United States. *Bona fide* T-visa applicants also have access to the same benefits as refugees, including cash assistance, food stamps, and job training.

There are up to 5,000 T visas available each year. Spouses and unmarried children (and, if the applicant is under 21, parents and unmarried minor siblings) of T-visa applicants may also qualify as dependent family members of the trafficking victim. There is no limit on the number of visas available for qualified family members.

Who is eligible for a T Visa?

A noncitizen may be eligible for a T visa if she:

- Is a victim of a severe form of trafficking in persons;
- Is physically present in the United States on account of trafficking;
- Assists law-enforcement officials in the investigation or prosecution of the traffickers (victims under 18 years of age are exempted from this requirement); and
- Can demonstrate that she will suffer extreme hardship involving unusual and severe harm if removed from the United States.

How long does a T visa last?

T visas are valid for four years. To qualify for LPR status, T-visa holders must maintain continual physical presence in the United States for three years (or for the duration of a completed investigation or prosecution of the act of trafficking, whichever is less), must maintain good moral character, and must have continued to cooperate with law enforcement or demonstrate they would suffer extreme hardship if they were removed from the United States.

What is the battered spouse waiver?

In order to prevent marriage fraud, federal immigration law requires applicants for marriage-based green cards to receive “conditional” permanent resident status for two years before being granted full lawful permanent resident status. As a result, immigrant victims of domestic violence may feel compelled to remain in an abusive relationship for up to two years in order to obtain a green card. The Immigration Reform Act of 1990 created the “battered spouse waiver,” which allows victims of domestic violence to file an application to remove the conditional status without the assistance of her abusive spouse and without having to stay in the abusive relationship for two years by providing proof of battering or extreme cruelty and the validity of the marriage.

What is a VAWA “self-petition”?

Under VAWA, immigrant victims of domestic violence, child abuse, or elder abuse may “self-petition” for lawful permanent resident status without the cooperation of an abusive spouse, parent, or adult child. It allows the victim to confidentially file the self-petition and attain lawful permanent resident status without separating from the abuser, thereby allowing the victim to leave the abuser after lawful permanent resident status has been obtained.

An approved VAWA self-petition provides the applicant with work authorization, deferred action, and an approved immigrant petition which allows her to apply for lawful permanent residency. When the individual applies for lawful permanent resident status, she is subject to the family preference system and any backlogs that may exist. Thus, spouses and children of U.S. citizens may apply immediately and receive a green card as an immediate relative. By contrast, spouses and children of lawful permanent resident abusers are placed into the family preference system along with all other petitions for spouses and children of lawful permanent residents and are subject to backlogs.

There is no limit to the number of VAWA self-petitions that may be filed in any given year.

Who is eligible to self-petition?

VAWA self-petitions are available to:

- Spouses and former spouses of abusive U.S. citizens or lawful permanent residents. Divorced spouses may self-petition if the termination of the marriage was related to the abuse and if the application is filed within two years of the termination of the marriage.
- Children of abusive citizens or lawful permanent residents who file before turning 25.
- An immigrant parent of an abused immigrant child, even if the immigrant parent is not herself abused.
- Non-citizen spouses whose children are abused by the child's other U.S. citizen or lawful permanent resident parent.

In addition to proving abuse, a self-petitioner must also prove:

- Good faith marriage if the abuser is a spouse or step-parent.
- The relationship to the abuser.
- The immigration status of the citizen or LPR spouse, parent, or child.
- Good moral character.
- Residence with the abusive family member.
- Parent-child relationship if the applicant is a non-abusive immigrant parent whose U.S. citizen or lawful permanent resident spouse perpetrated the abuse.

What is VAWA cancellation of removal?

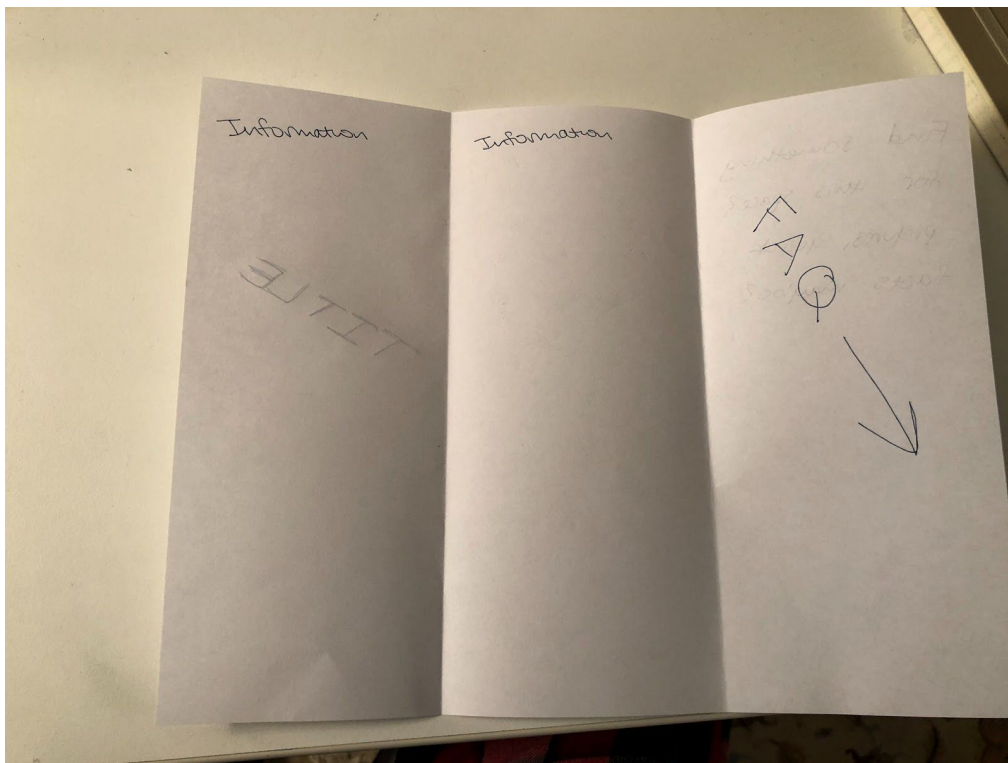
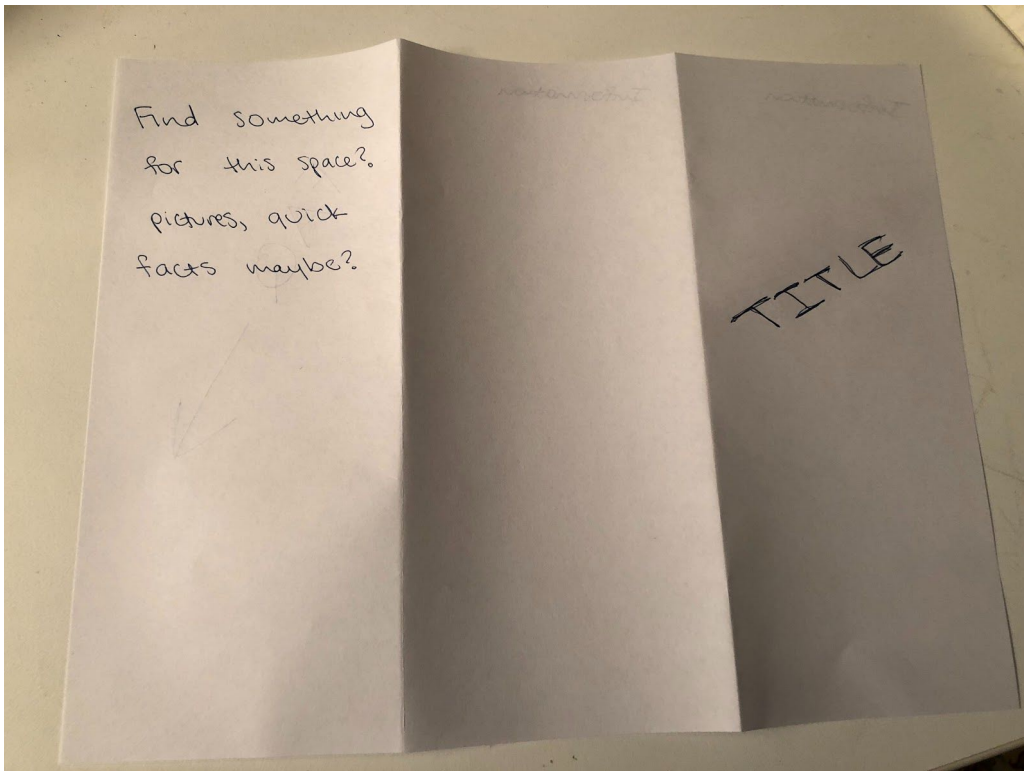
VAWA cancellation of removal (called "suspension of deportation" prior to 1996) is a form of relief designed to keep victims of abusive U.S. citizen or lawful permanent

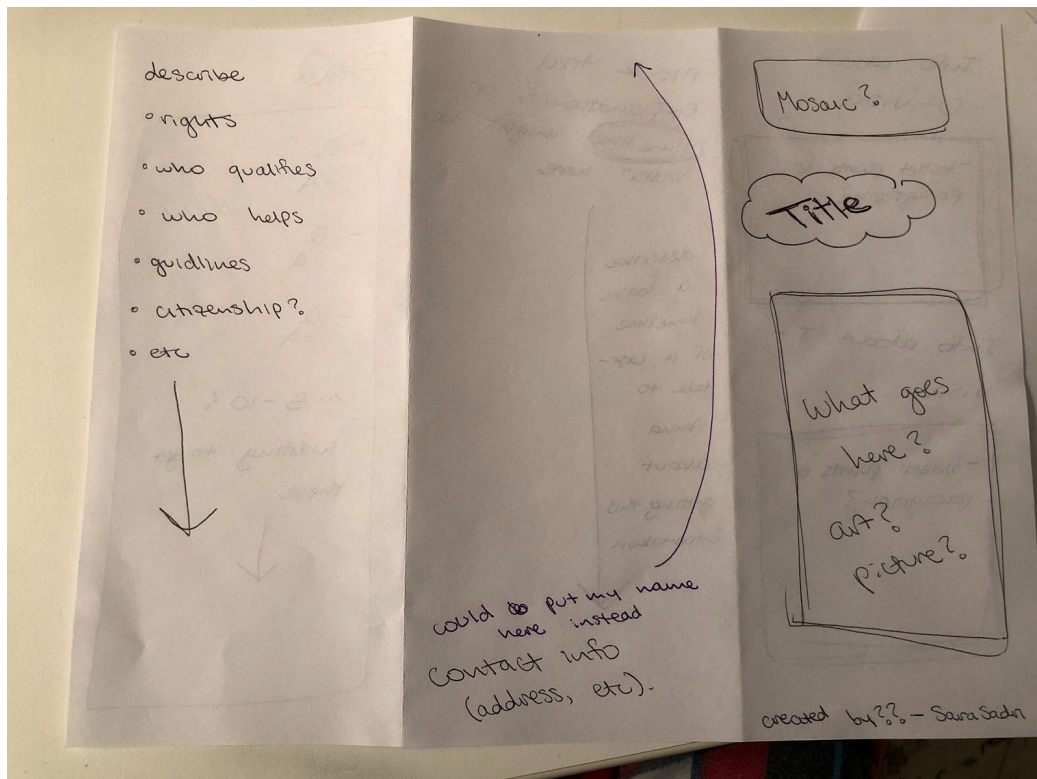
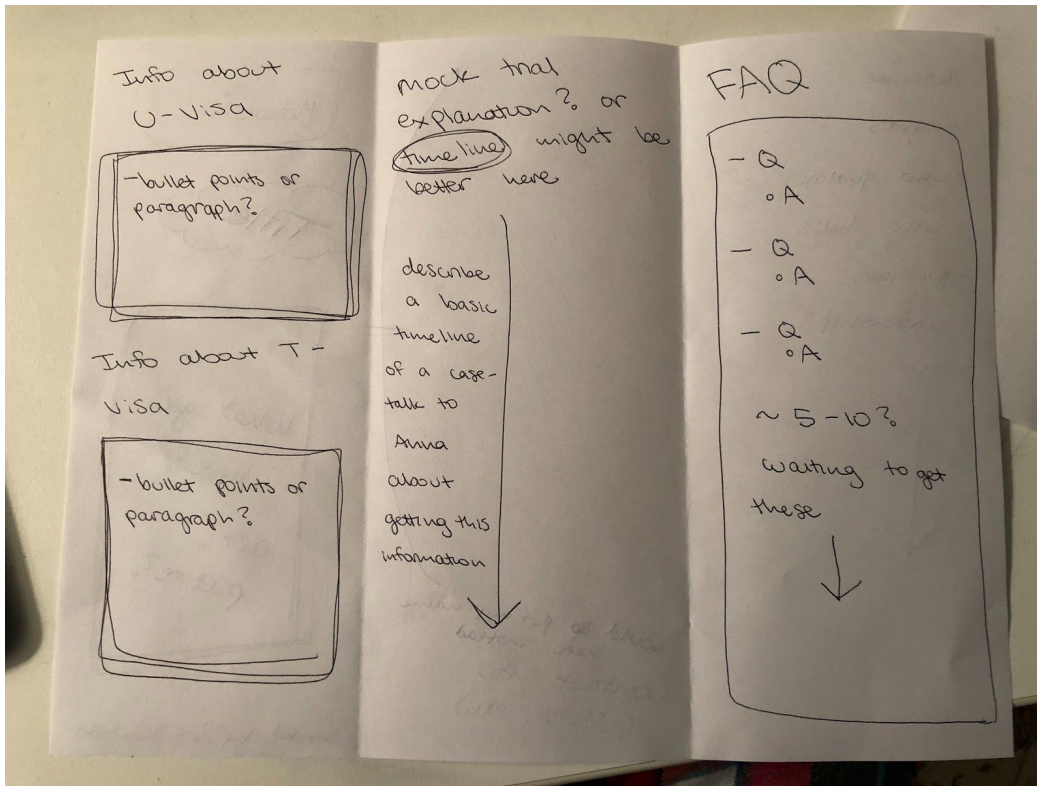
resident spouses or parents from being deported. It is a form of relief that a noncitizen victim can seek in immigration court after being placed in removal proceedings. Successful cancellation of removal results in lawful permanent resident status for the victim, whose children can also be paroled into the United States and can ultimately receive a green card as well.

To qualify for VAWA cancellation of removal, a victim must prove:

- She has been battered or subjected to extreme cruelty by a U.S. citizen or lawful permanent resident spouse or parent.
- Physical presence in the United States for 3 years.
- Good moral character.
- That removal would cause extreme hardship.
- That certain inadmissibility grounds do not apply or that she qualifies for a waiver of inadmissibility.

Pamphlet Rough Copies





Timeline:

Week of January 28:

- Communicate with mentor solidifying plans for Final Product
- See what changes need to be made to Proposal and calendar, update anything that needs to be fixed

Week of February 4:

- Begin researching different aspects of domestic violence and human rights law
- Determine what information needs to primarily be conveyed in the pamphlet

Week of February 11:

- Research different kinds of cases and how they are usually handled
- Discuss with mentor what expectations for cases might be

Week of February 18:

- Reach out to people in Mosaic to determine the most common question received from clients to determine the most valuable ones to include in my pamphlet
- Compile information on what I have gathered so far
- Write research papers that put all of the online research I have done so far into the same accessible place

Week of February 25:

- Start putting together the actual pamphlet through whatever program I decide on
- Decide what I want the basic outline of the pamphlet to look like

Week of March 4:

- Use the research information I have used to brainstorm how common cases usually go, to include this information in my pamphlet
- Type everything up into my pamphlet as these next weeks will be mostly working on the design of it

Week of March 11:

- Continue putting together the pamphlet, trying to find the most valuable questions and important information to stress in it
- Keep researching and writing information up in a useable way for the public

Week of March 18:

- Continue working on putting the pamphlet together, trying to create something visually appealing and still very informational
- Discuss with my mentor the aspects of the pamphlet the should be stressed the most to be most beneficial to clients

Week of March 25:

- Put all of my research papers that I have written up together along with the pamphlet that at this point should almost be completed
- Begin considering Final Presentation Night and my final speech

Week of April 1:

- Writing final speech, to continue revising it over the next few weeks as time goes on and I get closer to the final product
- Discuss things that my mentor thinks are most important in my speech

Week of April 8:

- Share the pamphlet with my mentor, get any feedback from her to make changes on the content before week of proofreading
- Familiarize self with printing options and decide on how want the pamphlet to be printed, pricing, how many, etc.

Week of April 15:

- Put the final touches on the pamphlet before sending to the printer
- All final read-throughs, looking for any possible mistakes

Week of April 22:

- Get the pamphlet(s) back from the printer
- Go over everything with mentor, if there are any mistakes, a reprint will need to occur as soon as possible

Week of April 29:

- Look over the Final Product, make sure all other reflection aspects have been completed before turning the Product in

Monday, May 7: Final Product is due