

# A FOR-PROFIT REBELLIOUS IMMIGRATION PRACTICE IN EAST LOS ANGELES

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*This article invites readers to imagine how we might practice rebelliously in a small for-profit immigration firm in East Los Angeles. Guided by Gerald López's REBELLIOUS LAWYERING, it identifies the complexities of working with undocumented immigrants in the current political circumstances, the sources of informal and formal training López teaches us to appreciate and make the most of, and the contradictions pervading the entwined dynamics of big structures (capitalism, most obviously) and everyday relationships (empathy, perhaps not as self-evidently) through which problem solving occurs. López's rebellious vision, insists this article, offers not a way to avoid our circumstances but collectively to engage them. And to engage them means always aiming to get radically better at how we lawyer and live while embracing the disappointments and frustrations as much as the gratifications and delights. Pragmatic utopian visions demand no less.*

“But for me, as for you, it remains true that we cannot separate who we are from what we try to understand.”<sup>1</sup>

—Jerry Lopez, 1987

## I. INTRODUCTION

Through Gerald L. López's groundbreaking work, *REBELLIOUS LAWYERING: ONE CHICANO'S VISION OF PROGRESSIVE LEGAL PRACTICE* (1992), practitioners, clinicians, and law students across the nation have radicalized the way they conceive of and engage in problem solving.<sup>2</sup> Indeed the book has become a go-to resource for many outside of the world of lawyering and law. For at least some, the re-

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\* A sincere gratitude to Gerald P. López for his mentorship, inspirational leadership and passion to better our troubled world. Thank you to Hector A. Pacheco, Martha Gómez, Luis M. Andrade and Lisa Ho for their never-ending support and guidance in helping me construct a rebellious practice. A very special thank you to Franco Law Group, APLC and its passionate staff for their commitment to fight everyday no matter the obstacles.

<sup>1</sup> Gerald P. López, *The Idea of a Constitution in the Chicano Tradition*, 37 J. LEGAL EDUC. 162, 162 (1987).

<sup>2</sup> GERALD P. LÓPEZ, *REBELLIOUS LAWYERING: ONE CHICANO'S VISION OF PROGRESSIVE LAW PRACTICE* (1992).

bellious vision most importantly transforms the role clients and client communities play: they should be, and often enough are, “co-eminent practitioners,” sorting through and identifying the political and personal particularities of a problem, the possible strategies from which to choose and perhaps to combine in addressing the problem, and the implementation and evaluation of any ensemble of strategies and tactics.<sup>3</sup>

<sup>3</sup> For only a sampling of the superb literature, by López and others, that deeply and sharply addresses these and related issues in elaborating the rebellious vision, see Muneer I. Ahmad, *Interpreting Communities: Lawyering Across Language Difference*, 54 UCLA L. REV. 999 (2007); Anthony V. Alfieri, *Reconstructive Poverty Law Practice: Learning Lessons of Client Narrative*, 100 YALE L. J. 2107 (1991); Anthony V. Alfieri, *Practicing Community*, 107 HARV. L. REV. 1747 (1994) (reviewing LÓPEZ, *REBELLIOUS LAWYERING*); Anthony V. Alfieri, *Against Practice*, 107 MICH. L. REV. 1073 (2009); Anthony V. Alfieri, *Rebellious Pedagogy and Practice*, 23 CLIN. L. REV. 5 (2016); Sameer M. Ashar, *Law Clinics and Collective Mobilization*, 14 CLIN. L. REV. 355 (2008); Alina Ball, *Imperative Redefinition of Community: Incorporating Reentry Lawyering to Increase the Efficacy of Community Economic Initiatives*, 55 UCLA L. REV. 1883 (2008); Gary Bellow, *Steady Work: A Practitioner's Reflections on Political Lawyering*, 31 HARV. C.R.-C.L. L. REV. 297 (1996); Stephen Carpenter, *Family Farm Advocacy and Rebellious Lawyering*, 24 CLIN. L. REV. (forthcoming 2017); Luke W. Cole, *Macho Law Brains, Public Citizens, and Grass-roots Activists: Three Models of Environmental Advocacy*, 14 VA. ENVTL. L.J. 687 (1995); Patience Crowder, *What's Art Got To Do with It: A Rebellious Lawyer Mindset in Transactional Practice*, 23 CLIN. L. REV. 53 (2016); Tara Ford, *Pegasus Legal Services for Children Taking Stock of a Rebellious Non-Profit Practice in New Mexico*, 23 CLIN. L. REV. 107 (2016); Martha Gómez, *The Culture of Non-Profit Impact Litigation*, 23 CLIN. L. REV. 635 (2017); Bill Ong Hing, *Coolies, James Yen, and Rebellious Advocacy*, 14 ASIAN AM. L.J. 1 (2007); Bill Ong Hing, *Nonelectoral Activism in Asian Pacific American Communities and the Implications for Community Lawyering*, 8 ASIAN PAC. AM. L.J. 246; Gerald P. López, *Economic Development in the “Murder Capital of the Nation,”* 60 TENN. L. REV. 685 (1993); Gerald P. López, *Reconceiving Civil Rights Practice: Seven Weeks in the Life of a Rebellious Collaboration*, 77 GEO. L.J. 1603 (1989); Gerald P. López, *Shaping Community Problem Solving Around Community Knowledge*, 79 N.Y.U. L. REV. 59 (2004) [hereinafter López, *Shaping Community Problem Solving*]; Gerald P. López, *Training Future Lawyers to Work with the Politically and Socially Subordinated: Anti-Generic Legal Education*, 91 W. VA. L. REV. 305 (1989) [hereinafter López, *Training Lawyers*]; Gerald P. López, *The Work We Know So Little About*, 42 STAN. L. REV. 1 (1989) [hereinafter López, *Work We Know*]; Gerald P. López, *A Declaration of War by Other Means*, 98 HARV. L. REV. 1667 (1985) (reviewing RICHARD E. MORGAN, *DISABLING AMERICA: THE “RIGHTS INDUSTRY” IN OUR TIME* (1984)); Shauna I. Marshall, *Mission Impossible?: Ethical Community Lawyering*, 7 CLIN. L. REV. 147 (2000); Charles J. Ogletree, *The Quiet Storm: The Rebellious Influence of Cesar Chavez*, 7 HARV. LATINO L. REV. 1 (1995); Daria Fisher Page, *Etta & Dan: Seeing the Prelude to a Transformative Journey*, 23 CLIN. L. REV. 251 (2016); Shauna Marshall, *Rebellious Deaning*, 24 CLIN. L. REV. (forthcoming 2017); Ascanio Piomelli, *Foucault's Approach to Power: Its Allure and Limits for Collaborative Lawyering*, 2004 UTAH L. REV. 395; Ascanio Piomelli, *The Democratic Roots of Collaborative Lawyering*, 12 CLIN. L. REV. 541 (2006); Ascanio Piomelli, *Rebellious Heroes*, 23 CLIN. L. REV. 283 (2016); Dean Hill Rivkin, *Lawyering, Power, and Reform: The Legal Campaign to Abolish the Broad Form Mineral Deed*, 66 TENN. L. REV. 467 (1999); Ann Shalleck, *Constructions of the Client Within Legal Education*, 45 STAN. L. REV. 1731 (1993); Clyde Spillenger, *Elusive Advocate: Reconsidering Brandeis as People's Lawyer*, 105 YALE L.J. 1445 (1996); Community Justice Institute, Brennan Center for Justice, *Taking Public Defense to the Streets, Raising Voices*, available at <http://www.brennancenter.org/page/-/d/down>

The still too often unappreciated revolution of López's vision is that this role for clients (and many, many others) is not a patronizing nicety, much less a far-fetched and ill-advised quixotic venture.<sup>4</sup> At the heart of Lopez's theory is a deeply persuasive account of the human problem solving we all engage in daily and the ways in which all expert work (including that of lawyers) turns out to be highly stylized variations on that human problem solving.<sup>5</sup> We lawyers *need* clients (and so many others) as our collaborators, especially if we are to achieve radical aims, both the seemingly mundane and the ostensibly outlandish.<sup>6</sup>

load\_file\_34975.pdf; Kim Taylor-Thompson, *Effective Assistance: Reconceiving the Role of the Chief Public Defender*, 2 J. INST. FOR STUDY LEGAL ETHICS 199 (1999); Kim Taylor-Thompson, *Individual Actor v. Institutional Player: Alternating Visions of the Public Defender*, 84 GEO. L.J. 2419 (1996); Kim Taylor-Thompson, *The Politics of Common Ground*, 111 HARV. L. REV. 1306 (1998) (reviewing RANDALL KENNEDY, RACE, CRIME, AND THE LAW (1997)); Anthony C. Thompson, Navigating the Hidden Obstacles to Ex-Offender Reentry, 45 B.C. L. REV. 255, (2004); Lucie E. White, *Collaborative Lawyering in the Field? On Mapping the Paths from Rhetoric to Practice*, 1 CLIN. L. REV. 157 (1994); Lucie E. White, *Mobilization on the Margins of the Lawsuit: Making Space for Clients to Speak*, 16 N.Y.U. REV. L. & SOC. CHANGE 535 (1987-88); Lucie White, *Paradox, Piece-Work, and Patience*, 43 HASTINGS L. J. 853 (1992); Lucie White, *Representing "The Real Deal,"* 45 U. MIAMI L. REV. 271 (1990-1991); Lucie E. White, *To Learn and Teach: Lessons from Driefontein on Lawyering and Power*, 1988 WIS. L. REV. 699; Christine Zuni Cruz, *[On The] Road Back In: Community Lawyering in Indigenous Communities*, 5 CLIN. L. REV. 557 (1999).

<sup>4</sup> For an example of literature expressing such views, see William Simon, *The Dark Secret of Progressive Lawyering*, 48 U. MIAMI L. REV. 1099 (1994). For the most comprehensive point-by-point response to such distorted portrayals, see the compelling work of Ascanio Piomelli. Ascanio Piomelli, *Appreciating Collaborative Lawyering*, 6 CLIN. L. REV. 427 (2000). For the only instance I have been able to uncover when López responds to such mischaracterizations, see Gerald P. López, *An Aversion to Clients – Loving Humanity and Hating Human Beings*, 31 HARV. C.R.-C.L. L. REV. 315 (1996).

<sup>5</sup> For the origins of this account, all should begin with Gerald P. López, *Lay Lawyering*, 32 UCLA L. REV. 1 (1984). A small group of practitioners and scholars, still a tiny minority but greater by far than in 1984, now embrace human problem solving as the basis from which all professions and crafts must be understood. These scholars range immensely, in terms of focus and ideology, including early champions of a radicalized legal theory like Steven Winter and, in more recent years, conservative pragmatists like Richard Posner. See, e.g., STEVEN WINTER, A CLEARING IN THE FOREST: LAW, LIFE, AND MIND (2002) and RICHARD POSNER, HOW JUDGES THINK (2008).

<sup>6</sup> For only some examples of the superb practitioners and clinical practitioners who share this conviction, see Angelo N. Ancheta, *Community Lawyering*, 81 CAL. L. REV. 1363 (1993) (reviewing LÓPEZ, REBELLIOUS LAWYERING); Ball, *supra* note 3; Bill Ong Hing, *Contemplating a Rebellious Approach to Representing Unaccompanied Immigrant Children in a Deportation Clinic*, 23 CLIN. L. REV. 167 (2016); Bill Kennedy, Mona Tawatao and Colin Bailey, *Instituting a Race Conscious Practice in Legal Aid, One Programs Effort*, 42 CLEARINGHOUSE REV. J. POVERTY L. & POL'Y, May-June 2008; William Kennedy, Gillian Sonnad, and Sharon Hing, *Putting Race Back on the Table: Racial Impact Statements*, 47 CLEARINGHOUSE REV. J. POVERTY L. & POL'Y, Volume 47, Sept/Oct, 2013; Dale Minami, *Asian Law Caucus: Experiment in an Alternative*, 3 AMERASIA J. 28 (1975); Dale Minami, *Guerrilla War at UCLA: Political and Legal Dimensions of the Tenure Battle*, 16 AMERASIA J. 81 (1990); Charles J. Ogletree, *The Quiet Storm: The Rebellious Influe-*

In this article, I shall undertake a close analysis of a for-profit immigration firm, where I work as the principal trial lawyer in the East Los Angeles office, thoroughly enmeshed in the opportunities, the contradictions, the constraints of fulfilling rebellious ambitions in what often feel to me like difficult though hardly impossible circumstances. López's REBELLIOUS LAWYERING has been embraced — and dissected — in various contexts (non-profits that provide direct legal services, non-profits that focus on impact litigation, public defender offices and indigent criminal defense panels, “back-up” centers, diverse clinical programs, and still more). Yet despite Lopez's emphatic encouragement to study progressive for-profit law firms, despite devoting an entire chapter (Chapter 3) in REBELLIOUS LAWYERING to the work of such a firm,<sup>7</sup> we continue in the scholarly and professional literature and in legal education itself, to largely ignore the nature and role of smallish for-profit law firms engaged in rebellious practice.

In the face of the growing demand for immigration legal practitioners and the surge of questionable practices by such attorneys and *notarios*, all already notably exaggerated by the arrival of Trumpism and Trump's inhumane immigration policies,<sup>8</sup> it is an especially important moment to provide a fresh and unsparing assessment of how López's vision of REBELLIOUS LAWYERING can be understood, at once, as utterly realizable, extremely challenging, and more important today than ever before. In my estimation, and obviously in López's, we need many such studies, not just a handful, all able and willing to reveal the countervailing pressures, the insoluble puzzles, and the ties between ideology and in-the-moment choices.

Immigrants to the United States—especially those with deep fears of returning to their countries of origin—face frightening, discouraging, and confusing challenges. The federal immigration system, with the full and often zealous cooperation of the states and local law enforcement agencies, make living within the borders of the United States harrowing. The long pattern of inhumane detention makes matters even more threatening. To understand that the processing of immigrants' claims has proven indefensibly slow, shallow, and hostile

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ence of Cesar Chavez,<sup>7</sup> HARV. LATINO L. REV. 1 (1995); Tammi Wong, *Race Conscious Community Lawyering: Practicing Outside the Box* by, 42 CLEARINGHOUSE REV. J. POVERTY L. & POL'Y, July/August 2008.

<sup>7</sup> See Gerald P. López, *Reconceiving Civil Rights Practice: Seven Weeks in the Life of a Rebellious Collaboration*, 77 GEO. L.J. 1603 (1989).

<sup>8</sup> *Executive Order: Border Security and Immigration Enforcement Improvements*, THE WHITE HOUSE: OFFICE OF THE PRESS SECRETARY, January 25, 2017. *Executive Order: Enhancing Public Safety in the Interior of the United States*, THE WHITE HOUSE: OFFICE OF THE PRESS SECRETARY, January 25, 2017.

is to appreciate how as a national community we have proven unresponsive and mean-spirited.<sup>9</sup> To study how much the immigration and criminal justice systems now operate totally in concert enhances our realization of what immigrants encounter, each and every day.<sup>10</sup> We are not talking about the hateful rhetoric and the repulsive plans of Donald Trump and Ted Cruz and all those they represent, although they will certainly worsen under a Trump administration. We are talking about two terms of Barack Obama, very much following the game plan initiated by Bill Clinton and then more-or-less followed by George W. Bush.<sup>11</sup>

To make matters worse, when immigrants experience the need for everything from one-shot consultations to formal representation, they most often do not know who to turn to for effective problem solving. Non-profit organizations actively warn immigrants about both *notarios* and for-profit immigration lawyers.<sup>12</sup> And they do so, frequently enough, with good reason. The large influx of immigrant women and children overwhelmed an already under-financed, questionably-staffed, and poorly trained immigration court system.<sup>13</sup> The many women and children from Latin America escaping gang-persecution, narco-terrorism, gender violence demonstrates in emphatic ways the routine failure of the immigration courts and administrators and “front-liners” to respect due process and human rights standards. In particular, immigrants seeking asylum in immigration court face further uncertainty due to widely arbitrary outcomes by Immigration

<sup>9</sup> See, e.g., Ingrid V. Eagly, *Remote Adjudication in Immigration*, 109 Nw. U. L. REV. 933 (2015); Ingrid V. Eagly and Steven Shafer, *A National Study of Access to Counsel in Immigration Court*, 164 U. PA. L. REV. 1 (2015).

<sup>10</sup> Since the late 1980s, Kathy Brady of the Immigrant Legal Resource Center deserves recognition as the immigration expert who has led the effort to identify, to challenge, and to educate others about what scholars decades later finally began writing about, coining the term “crimmigration.” Juliet Stumpf, *The Crimmigration Crisis, Immigrants, Crime, and Sovereign Power*, 56 AM. U. L. REV. 367 (2006). For an example of other such academic literature, see Jennifer M. Chacón, *Unsecured Border: Immigration Restrictions, Crime Control, and National Security*, 39 CONN. L. REV. 1827 (2007). Of this new generation of immigration scholars, it is impossible to miss the intellectually rich and practice savvy findings and insights of Ingrid Eagly, *Gideon's Migration*. 122 YALE L. J. 2282 (2013).

<sup>11</sup> For what remains the most enlightening account, see Gerald P. López, *Don't We Like Them Illegal?*, 45 U.C. DAVIS. L. REV. 1711 (2012).

<sup>12</sup> The Immigrant Legal Resource Center, the nation's leading immigration organization, has for years stressed the risk of obtaining legal counsel from notaries and immigration lawyers. See, e.g., <https://www.ilrc.org/anti-fraud-campaign>.

<sup>13</sup> As of December 2016 the Immigration Court has 533,909 pending cases, in comparison to 262,799 in 2010. Cases for families who entered the U.S. from January 1, 2014 and on, considered “priority” cases, jumped by more than 20 percent. The backlog of these family “priority” cases totaled 102,342 for December 2016, surpassing 100,000 cases for the first time. See *Backlog of Pending Cases in Immigration Courts as of December 2016*, TRAC IMMIGRATION, available at [http://trac.syr.edu/phptools/immigration/court\\_backlog/apprep\\_backlog.php?utm\\_source=aila.org&utm\\_medium=InfoNet%20Search](http://trac.syr.edu/phptools/immigration/court_backlog/apprep_backlog.php?utm_source=aila.org&utm_medium=InfoNet%20Search).

Judges nationwide; nationally, the average decision disparity in asylum cases worsened by 27 percent during the last six years.<sup>14</sup>

For all the declarations of deep respect for immigrant communities, the Obama Administration has carried forward, with the enthusiasm of a zealot, the deportation and border enforcement policies and practice of the Clinton and Bush Administrations. The current wave of racist xenophobia, a modern iteration of the same racist xenophobia present since the nation's founding, shapes President Obama almost as much as it does the "haters" who came to dominate states like Arizona, Kansas, and Alabama, and now find open expression in the Republican Party primaries.<sup>15</sup> This paved the road for Trump's xenophobic war against Muslim, Mexicans, and other undesirables. Deep disrespect for immigrants, even hatefully racist scapegoating, is not a Republican or a Democratic phenomena: It's a United Statesian thing.

The immigration "crisis" has created a surge of for-profit attorneys to fulfill the demand. Ruthless for-profit attorneys join this area of law thinking immigration law is "easy," and an opportunity for "quick money." In the process, they ruin the lives of thousands of immigrants and immigrant families. There is negligible accountability. After all, these immigrants have little to no financial security and always are already at risk of deportation: What are *they* going to do about professional incompetence, fraud, theft?

Those who engage in immigration law with rebellious aspirations encounter markedly challenging obstacles, especially given competition with *notarios* and attorneys who provide thoroughly inadequate services for outlandishly low prices. To "keep up with the competition," many solo practitioners or small firms stay afloat often by maintaining a high volume of cases, making it difficult to provide responsible attention to each client. Over an extended period of time, some well-intentioned attorneys can and do become jaded. Despite providing solid-to-great lawyering, they see client after client ordered removed/deported.

In this article, I shall map the landscape, define the constraints and the complexities, and define worthy options for how we might all see and understand our work. In the course of this account, I shall

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<sup>14</sup> The TRAC report also emphasizes that the median level of asylum decision disparity is now over 56 percentage points. See *Asylum Outcome Increasingly Depends on Judge Assigned*, TRAC IMMIGRATION, December 2, 2016, available at [http://trac.syr.edu/immigration/reports/447/?utm\\_source=aila.org&utm\\_medium=InfoNet%20Search](http://trac.syr.edu/immigration/reports/447/?utm_source=aila.org&utm_medium=InfoNet%20Search).

<sup>15</sup> The person perhaps most responsible for thoroughly hostile state and local government laws targeting immigrants is Krish Kobach. For only one example of Kobach's ideology and strategic thinking see, Kris W. Kobach, *The Quintessential Force Multiplier: The Inherent Authority of Local Police to Make Immigration Arrests*, 69 ALB. L. REV. 179 (2005).

focus on the complex and confounding idea of empathy. In all his work, including before and after writing *REBELLIOUS LAWYERING*, López emphasized emphatically the contradictions built into the very concept. But, with few exceptions, most who produce scholarly and professional written work, and even many trainings invoking rebellious lawyering, have utterly ignored both the importance and the tensions embedded within how we understand and make connections with one another.

Empathy proves pivotal to approaching otherwise down-and-out clients, well-defended immigration judges, and weary immigration practitioners. But, like López, mine is not a pitch for the “more empathy the better.” Too much empathy, a state I am familiar with, proves as disabling for the rebellious practitioner as does too little empathy. Empathy in the context of rebellious lawyering needs to be understood as a form of paradoxical connection. With clients, of course, and with all others. That’s no less true of any problem solver working with anyone in need of or desiring problem-solving help. But it’s a lesson we must confront, in ways López hoped to inspire, time and again. For someone like me working rebelliously in an East LA for-profit immigrant firm, the truth has been often as painful as it has been pivotal.

## II. WHAT I BROUGHT TO MY WORK AT OUR FOR-PROFIT IMMIGRATION FIRM IN EAST LA

López reminded us in *The Idea of a Constitution in the Chicano Tradition* that “we cannot separate who we are from what we try to understand.”<sup>16</sup> Our experiences condition the way we view the world. Throughout López’s work, we are constantly challenged to question ourselves: how is it that we come to know the world? How is it that we come to change our minds? How is it that our experiences allow us to conceive of problem-solving? The inevitable relationship between ideology and law? Collaboration? Advocacy? Mobilizations? Movements? Overlapping systems of power?

My background prepared me for the work I do today. Many unfolding and overlapping phases—an iterative and not a linear process, like problem solving itself—served as informal training to working principally with the Latino immigrant community. Growing up in a marginalized community, learning to unmask personal privilege, and jumping into community work of all sorts—both before and during law school—all helped me build the capacity to practice rebelliously as an immigration attorney.

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<sup>16</sup> López, *supra* note 1.

Of all the formative experiences of my background, nothing has defined me more as an immigration attorney than growing up in a struggling immigrant Latino family in Los Angeles. The stories I have lived and the stories I know to be true of other Latino and Asian and African and Middle Eastern immigrants have profoundly influenced me and my growth. Each day, on the job, I find myself reminded, in always palpable and sometimes tormenting ways, about the experiences I share with my clients.

My very existence is a result of survival tactics relied upon by first generation immigrants. My parents hail from the same town in Michoacán and yet met each other for the first time in the U.S. In 1979, at the age of 24, my mother decided to embark on her own on a 1,759 mile journey from Ciudad Hidalgo, Michoacán to East Los Angeles, California. She was a courageous young woman—poor, single, and with no family ties in the United States. Like so many generations before her, word of mouth led her to East Los Angeles. Others from Ciudad Hidalgo had made the journey before her, and they were willing to let her reside with them for a couple of months in exchange for help around the house.<sup>17</sup>

As fate would have it, my father and mother met in that same house; they fell in love and dreamed of a better future in the U.S. They shared the same survival instincts that would help them remain in the US and that they instilled in me during my childhood. Growing up, we did not have much. (Yes, that's a euphemism.) We were constantly struggling financially and a solidly blue-collar lifestyle seemed far beyond our reach. Growing up, I spent most weekends at swap meets selling second hand clothes. I quickly learned to appreciate earning a dollar, and I hated seeing the worried look in my parents' eyes when a whole weekend's worth of swap meet labor netted a total of 50 dollars.

On holidays, my mother and I would sell roses in the streets of

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<sup>17</sup> For examples of cross-disciplinary scholarship exploring transnationalism of the sort my parents joined, see Ewa Morawska, *Immigrants, Transnationalism, and Ethnicization: A Comparison of This Great Wave and the Last*, in E. PLURIBUS UNUM?, CONTEMPORARY AND HISTORICAL PERSPECTIVES ON IMMIGRANT APOLITICAL INCORPORATION, 175-212 (Gary Gerstle & John H. Mollenkopf eds., 2001); EVA OSTERGAARD-NIELSEN, INTERNATIONAL MIGRATION AND SENDING COUNTRIES: PERCEPTION, POLICIES, AND TRANSACTIONAL RELATIONS (2003). For sophisticated literature about the political economy of these dynamics, see William Kandel & Douglas S. Massey, *The Culture of Mexican Migration: A Theoretical and Empirical Analysis*, 80 SOC. FORCES 981 (2002). In recent years, some have resurrected interest in and sustained study of these dynamics from the Mexican perspective and, more generally, the emigrant vantage point. See, e.g., DAVID FITZGERALD, A NATION OF EMIGRANTS: HOW MEXICO MANAGES ITS MIGRATION (2009); Kim Barry, *Home and Away: The Construction of Citizenship in an Emigration Context*, 81 N.Y.U. L. REV. 11 (2006).



East Los Angeles and Montebello. When I was seven, I experienced my first encounter with the police. An officer directly approached and sternly warned me that if I sold one more rose he would arrest my mother. These experiences marked my childhood, and they allowed me to understand how difficult it was, even with “papers,” to make a living. I don’t have to imagine all that much as immigrants tell their stories about life here in the United States. I mainly have to recall, sometimes dredging up this or that event I may have suppressed a good while back. I have to imagine more if clients speak of the homes they left to come to the United States.

Yet what I do know of life in Mexico will last a lifetime. In 1996, my mother sent my sister and me to live in Ciudad Hidalgo. Other students had been bullying my sister—so severely she had intentionally worked to flunk out of school. She knew no other response, and my mother didn’t either. From 1996-2000, I went to middle school in Mexico. I knew the language, the ways my mother and father had taught me to behave, the work ethic they had passed along. Yet being in Mexico during those years brought to life as nothing else could what immigrants from across the globe endure before launching themselves into what can often be a backbreaking and vulnerable existence as an illegal.

Poverty in Mexico meant something far more extreme than poverty in the United States. There was no ladder to climb. Jobs were scarce, unless you had family connections or practiced the corruption now so embedded in the ways of public, civic, and private realms. Education for the working poor was uneven at best, and most dropped out before high school. And if you were poor, and with iffy jobs prospects and no social mobility, you felt the fierce class forces. The caste system in Mexico lives on, mocking the revolution and every worthy *ranchera* sung by Lola Beltran, Pedro Infante, Jorge Negrete, and Chavela Vargas. To intensify income stratification, the gender and racial discrimination (particularly targeting anyone looking indigenous) proved malicious and cruel. And the sexual abuse and sexual harassment that go unrecorded—within families and across the nation—remain dangerously misogynistic.

In my years in Ciudad Hidalgo, even as a middle schooler, I could feel the truth of López’s theory of undocumented migration.<sup>18</sup> In the most probing and candid of modern assessments, in the most revealing of analyses, López speaks of both Mexico and the United States using the illegal and legal immigration systems to serve their economic interests and mutual entanglements. As a radical Chicana and Chicano,

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<sup>18</sup> See López, *supra* note 11.

as part of the movement, the impulse has been to romanticize Mexico while condemning the United States. My middle school years helped me to see that blame can and should be shared.

What Mexico and some other countries have for centuries done to their poor—with a cold-bloodedness that matches the United States—ought never be converted into the positive of mythic lore. Love the land, love the people who care for you, love certain traditions. Wanting to stay in a country that does not want you says far less about U.S. greatness and far more about Mexico's awfulness to its poor people, especially its women, especially its darker-skinned citizens. In other developing countries, too, "opportunity" is inextricably linked to race, gender and class that can only predictably be escaped through corruption or nepotism. People across the globe create transnationalism out of raw necessity.

In 2001, back in the U.S, I was a sophomore in high school. We lived in San Gabriel, California, and we did not have a car. On the radio, my mother heard about the rally to support Gil Cedillo's AB 60 bill. The bill would legalize driver's licenses for undocumented immigrants. We took a bus to Downey and walked to a printer shop. As my mother wrote out down basic details of the event in Spanish, she made me translate the text into English. She used a couple of dollars to make copies, and we started handing them out. My mother was not trying to teach me about civic duty in some abstract sense. She wanted me to join her in the fight for something important. At the rally her efforts and our efforts went unnoticed, I'm pretty certain. But the most important part of that day was a reminder that being part of the struggle was as important as surviving it.

My parents became lawful permanent residents because Ronald Reagan signed the 1986 Immigration Reform and Control Act.<sup>19</sup> In 1991, they became citizens. Even then, I felt the force of their excitement. Now, as an immigration attorney, I know enough to be thankful every day that my parents were in the U.S. at the right moment and at the right time. They won the lottery. So did I. Not to have to worry about my parents being deported is itself a privilege. Like other citizens, we at least do not have to worry about that when we wake up in

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<sup>19</sup> In anticipation of, and in direct response to, the 1986 Immigration Reform and Control Act, and as part of blossoming Lawyering for Social Change Concentration, López, Bill Ong Hing, and Eric Cohen developed a "group processing" approach as part of López's Community Outreach, Education, and Organizing Clinic, an approach that was to become a signature methodology of the Immigrant Legal Resource Center. See Bill Ong Hing, *Legal Services Support Centers and Rebellious Advocacy: A Case Study of the Immigrant Legal Resource Center*, 28 WASH. U. J. L. & POL'Y 265 (2008). For a comprehensive critique of traditional legal education and a description of the Lawyering for Social Change Concentration, see López, *Training Lawyers*, *supra* note 3.

the morning. Even today, many in East LA and many across metropolitan Los Angeles lament how they failed to apply. I know because they're my clients and they tell me. They did not have the funds. They couldn't find a reliable lawyer. Or they failed technically to qualify by a month or three. Or they could not gather all the documents required by law. They lost the lottery, and they know it.

I mean both to celebrate and to report the blessings of citizenship in the United States. My parents had grabbed hold of the "American Dream." Well, at least the East Los Angeles version: By contrast to most others in the United States, that means few job opportunities to make a good living, limited educational opportunities, little chance of social mobility, and racial profiling as an everyday reality.<sup>20</sup> Yet that was a dream, a dream they would not surrender. And if they could not realize it for themselves, they could perhaps for their children. And when I work with clients today, in an East LA remarkably similar to what my parents found thirty years ago, they frequently live in the same impoverished conditions and yearn to remain to fight for a better future. In my clients, I see my parents every day.

My whole life I knew I was meant to be an advocate for the immigrant community; really, there was never a doubt in my mind. My conviction can be traced to my mother. Before becoming a documented resident, she worked as an undocumented immigrant, with a fake name and social security number. She lived in fear of losing her job and being deported while having two children of her own to care for. My mother regarded Reagan's "amnesty" as nearly a miracle. She chose never to forget. And she chose routinely to remind me of my privilege. I was born in the U.S.; I had a social security number; I had the right (not just a privilege but an enforceable right) to work without fear; I had the freedom to travel and to visit my family in Mexico.

My mother's reminders of course meant I should not squander my own opportunities. But they meant, just as much, that I was to help others create a better life. From my earliest memories, that all made sense to me. And I have never once doubted the wisdom in this message. I sometimes think my mother's way of helping her own immigrant community was molding me to be an advocate. That was her way of giving back.

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<sup>20</sup> López himself has contributed to an understanding of life in East LA through compelling essays, often taught in undergraduate Chicano and Latino studies course exploring ideologically, legally, racially, culturally, life in barrios across the United States. For just one example, see Gerald P. López, *Changing Systems, Changing Ourselves*, 12 HARV. LATINO L. REV. 15 (2009). For one of the best traditional historical treatments of East LA as it unfolded, see GEORGE SANCHEZ, *BECOMING MEXICAN AMERICAN: ETHNICITY, CULTURE, AND IDENTITY IN CHICANO LOS ANGELES, 1900-1945* (1995).

### III. WORK EXPERIENCE AND TRAINING BEFORE LAW SCHOOL

When I returned from Mexico, I entered high school as a sophomore. College appeared an unlikely prospect given my family's financial limitations. Like others in my community, I saw a future, and others saw my future, joining the workforce instead of getting a degree. I was very fortunate that a Speech and Debate program existed at my high school and that its policy debate team was being sponsored by the Southern California Urban Debate League ("SCUDL"), a non-profit organization dedicated to promoting debate among lower-income communities of color.<sup>21</sup> SCUDL, based out of Cal State University, Fullerton (CSUF) at the time, would send college policy debaters to mentor and coach designated high schools. My high school debate coach, out of generosity rather than a job description, found a way for me to get a partial scholarship for college debate at CSUF. Without SCUDL and CSUF's policy debate team, college would have been a harder goal to achieve.

College policy debate fine-tuned my rebellious foundation by helping me better articulate what I felt and thought by framing injustices in the context of policy and law. At the time, and perhaps to this day, the culture of college policy debate proved, in perverse ways, to foreshadow the culture of law school—an elitist "old-boys" club that marginalized Latinas like me. College policy debate is homogenous in its participants and its framework for argumentation: dominated by white males dependent on "role-playing" policymakers, legislators and judges (who also tend to be occupied by non-minority males). It did not escape our attention that a sport called "debate" refused absolutely to deviate from the usually unstated assumptions, methods, and aspirations of the dominant approach. They refused to acknowledge, much less open themselves up to, how gender, race, class, Straight/gay status—and ideology itself—pervaded their way of doing things, including their way of banning those like us who aimed to debate their approach.

I was fortunate to have amazing coaches.<sup>22</sup> Among the most fundamental aspects of the training they provided was to encourage me to question the "role-playing" framework. To challenge the assumption that policymakers addressed the socio-economic issues faced by marginalized communities and that legal tools were the be-all and

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<sup>21</sup> SCUDL is no longer existent due to funding shortages, but the Los Angeles Metropolitan Debate League ("LAMDL"), successfully led by Cameron Ward, continues its legacy.

<sup>22</sup> The most influential debate coaches throughout my career at CSUF consisted of Jon Bruschke, Toni Nielson, Sylvia Alicia Symonds, and Adam Symonds; they continue to empower students in their respective fields.

end-all to problem-solving. I was exposed to literature and philosophies that celebrated rather than downgraded my socio-political-economic status. Authors like Gloria Anzaldúa, bell hooks, Paolo Freire, and Linda Martin Alcoff opened my eyes. My debate partner, Luis M. Andrade, and I used counter-cultural theories and philosophies to challenge traditional debate and policymaking. We exposed “traditional”/“straight” debate’s top-down approach as counterproductive and harmful to disenfranchised communities. Of course we encountered incredible backlash, even resentment from debaters from Northwestern, USC, University of Michigan, Emory University, Kentucky University, UC Berkeley. (The list goes on.) Our categories, our stories, our arguments threatened the policy debate institution they benefitted from and sustained and revered. “Go somewhere else,” we heard time and again. Intercollegiate debate became a training ground for radical advocacy—we learned how to formulate and mold “radical” ideology against legislative-policy-best arguments.

Little did I know that decades earlier, not just in his 1992 book but in his other scholarship and, perhaps most notably, his own practice and his own teaching (especially the sequenced and coordinated Lawyering for Social Change Concentration at Stanford), López and his colleagues (faculty, staff, students, lawyers, organizers, elected officials, community residents, and still more) had drawn upon literature deep and wide, including some of the articles and books so influential in my approaching debate from a perspective at odds with conventional wisdom.<sup>23</sup> They built the education of lawyers around many of the same ideas, skills, and sensibilities my debate coaches had taught. And the resistance they encountered, from regnant faculty and lawyers, strongly paralleled what we and our coaches faced in the debate world. That should not surprise, I suppose. But the similarities say much about how much orthodox assumptions and convictions pervade high school, college debate, law school, and the legal profession.

<sup>23</sup> See López, *Training Lawyers*, *supra* note 3; López, *Work We Know*, *supra* note 3. For just some of the literature from this coalition drew in their practice, teaching, and writing – and that drove the Lawyering for Social Change Concentration (both clinical and problem-method courses) see GLORIA ANZALDÚA, *BORDERLANDS/LA FRONTERA: THE NEW MESTIZA* (1987); JOHN DEWEY, *LIBERALISM AND SOCIAL ACTION* (1935); JOHN DEWEY, *THE QUEST FOR CERTAINTY: A STUDY OF THE RELATION OF KNOWLEDGE AND ACTION* (1929); HANNA FENICHEL PITKIN, *THE CONCEPT OF REPRESENTATION* (1967); RENATO ROSALDO, *CULTURE AND TRUTH: THE REMAKING OF SOCIAL ANALYSIS* (1989); Warren C. Haggstrom, *For a Democratic Revolution: The Grass Roots Perspective*, in *TACTICS AND TECHNIQUES OF COMMUNITY PRACTICE*, 220 (Jack Rothman, John L. Erlich & John E. Tropman eds., 4th ed. 1984); Bernice Johnson Reagon, *Coalition Politics: Turning the Century*, in *HOME GIRLS: A BLACK FEMINIST ANTHOLOGY* 356 (Barbara Smith ed., 1983).

#### IV. THE FORMAL TRAINING BEGINS: LAW SCHOOL TRAINING AND COMMUNITY ADVOCACY

By the time I arrived to law school in 2008, I was ready to train and learn to become a rebellious attorney. With this vision in mind, UCLA Law (“UCLAW”) caught my attention because of their Critical Race Studies and the Public Interest Law and Policy (PILP) programs. Yet once immersed into the everyday of what UCLAW had to offer, it was clear that on-the-ground the school offered a severely limited form of training for the radical lawyer. Perhaps even more than most schools, UCLAW focused mainly on the Socratic Method instead of a sequential form of clinical and experiential learning and teaching. Rarely were students required to dig into the various problem-solving roles lawyers fill, asked to “practice” what lawyers do, complete with feedback and growth. Even the great majority of progressive CRS courses spoke of radical law, rather than radical lawyering. Most CRS faculty taught a particular critique of law but too little about practice (or “praxis.”)

Again, little did I know that decades earlier faculty at other schools had developed coordinated and sequenced training in radical lawyering. Anthony Amsterdam, Randy Hertz and a team created a sequence of simulated and live-client training at NYU; López, Sally Dickson, Bill Ong Hing, Shauna Marshall, and Kim Taylor-Thompson had been part of a team of students, staffers, community residents, and many others that had created the Lawyering for Social Change Concentration at Stanford; Howard Lesnick and Charlie Halpern had collaborated with others in creating an entirely new law school, CUNY, dedicated to training community-oriented progressive lawyers. These coordinated and sequenced curricula of course included critiques of law (including sophisticated racial critiques) but all in the context of training students to lawyer—to be as “practice-ready” as three ambitious and effective years of training would allow. Legal education understood these options existed but acted most often as if the traditional approach—teaching students bodies of doctrine, combined with some clinics—amounted to everything students need.

Once again, I found myself at the right moment, at the right time. As part of the CRS program, Professor López taught various live-client clinics, including the Rebellious Lawyering Clinic. Suddenly I realized education could focus on what lawyers do and demand that students take on lawyering roles, complete with the demands of live-clients, the training of simulations, and the intellectual background of sophisticated interdisciplinary literature. Our clinic immersed us in our nation’s anti-immigrant sentiment. The recent passage of Arizona Senate Bill 1070 (“SB 1070”) had uncovered some of the most embar-

rassing and disrespectful aspects of our national discourse, SB 1070 was thrust upon us, and López used his clinic as way to help communities under siege, providing ambitious and effective training for rebellious practice in this context. López had planned with others a collaboration to protect communities through all available means.

We had a demanding portfolio of work. Under López's supervision, we students worked with various immigrant non-profits, community organizers, practitioners, and clients in Arizona. One of the many aims was documenting constitutional violations without exposing or putting at risk immigrants who were, in many ways, courageous and vulnerable. Our clinic took on the challenges, including developing and implementing a customized questionnaire to help gather information useful for potential impact litigation, policy proposals, and heightened mobilization, both locally and through networks of national groups. We translated clients' experiences into a methodologically valuable instrument to systematically gather data that helped support successful lawsuits, legislative battles, and media campaigns.

With the guidance and input of non-profit leaders and litigation experts, hearing directly from the immigrant communities themselves, we brainstormed various ways of framing the problem, imagining and implementing strategies, gathering feedback, and reevaluating all aspects of our collective work. The questions were serious, large, and difficult to answer, particular within messy and wicked Maricopa County politics: Which allies were willing to provide a space to distribute the questionnaire? Which allies found the questionnaire so "controversial" that they feared their location would become a target by local law enforcement and ICE? How might we verify the authenticity and accuracy of grievances without compromising privacy and confidentiality? How might we help coordinate diverse constituencies who, to our surprise, had not collaborated much in the past? We got a glimpse of the never-ending complexities of working with allies across state lines, working with practitioners with differing stakes in the fight against SB 1070, and the realities of ambitious grass-roots organizing undertaken by a relatively tiny number of people, including some lawyers.

Our clinic's experience, and our capacity to imagine ourselves in the future facing diverse challenges, provided ways to fill roles that demanded of us a great deal more than most lawyers readily imagine themselves prepared to face. After law school, for example, I worked for a non-profit organization that represented Latino interests in communication law and policy. Of course I had learned to study the organization, its professed mission and its actual practices, its relationship to others and its capacity to go solo if forced. And I had

learned the pivotal necessity of understanding the client communities—even if formally unrepresented—and sorting through what they desire and what they need.

Ultimately it fell to me to help lead coalition building against anti-immigration rhetoric, at both local and national levels. And it fell to me to help imagine, design and implement a focused response that could take full advantage of the increasingly important role that social media plays in mobilization. That of course meant understanding the limits as well as the promise of these lines of communications in working with and on behalf of Spanish-speaking communities with limited access to broadband and technology. And at each step, training in the Rebellious Lawyering Clinic, both actual demands and imagined trajectories, proved a way of approaching problem solving in all its varied forms.

#### V. WHAT I UNDERSTOOD ABOUT THE CONSTRAINTS OF NON-PROFITS AND CHOOSING TO WORK FOR A SMALL FOR-PROFIT IMMIGRATION FIRM IN EAST LOS ANGELES

Like so many immigrant advocates, I envisioned my career working for non-profits all my life. Throughout law school and even after graduation, I worked with various non-profit organizations that served different needs for immigrant communities. From offering Legal Orientation Programs to detained immigrants fighting removal or deportation, working on asylum cases for transgendered refugees, obtaining U-Visa certifications for victims of crime, to impact litigation challenging capricious “reason to believe”/“reasonable ground to believe” exclusion standards for suspected drug traffickers, terrorists, gang members,<sup>24</sup> I was exposed to different forms of relief and different styles of advocacy. The non-profits I worked for did much needed work that had amazing effects for immigrants and their families.

Despite being enthused by the wonderful work these non-profits engage in, my experiences unveiled the limitations that non-profits often face: constraints by grants to serve a very specific subset of the immigrant community. This is perhaps the nature of grant work and the way non-profits tailor remedies to a specific subset of the immigration community (i.e. victims of crime, unaccompanied minors, detained immigrants, etc.). Too often, however, I was exposed to how non-profits turned away immigrants who did not fit the grant profile, and most dishearteningly, when they were sent away with little to no guidance about their status or particular needs. This was often done in

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<sup>24</sup> Immigration and Nationality Act (INA), 8 U.S.C. §§1182(a)(2)(C)-(3)(A)(ii)-(a)(3)(B)(i)(II) (2011).



the intake screening process where immigrants who did not fit the program's objective were dismissed without any concern for any other aspect of their lives (Were there homelessness issues? Employer abuse issues? Domestic violence issues? Health issues? Etc.).

More often than not, the immigrants often turned away were individuals with a criminal background or "weak" gang-based asylum claims, mainly Central American refugees escaping gang persecution. These individuals were often left in limbo. It soon became clear to me that these were the individuals I most wanted to serve and working for an immigration firm would give me this liberty.

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In my search for a for-profit immigration firm in Los Angeles, I was watchful of firms that were predatory, shoddy and/or had a "business" relationship with *notarios*. Unfortunately, too many of these types of firms and *notario* offices exist throughout Los Angeles and its surrounding counties, especially in Latino immigrant communities. These offices, often led by Latinos, gain the trust of the immigrant community by pretending to understand their struggle and promise them "legal" status. Instead, they accelerate the separation of families by knowingly filing frivolous or weak applications that lead to their removal or deportation.

It was not enough for me to work for a reputable firm. It was my absolute priority to seek a firm with rebellious aspirations. In 2013 I was presented with an opportunity to work with UCLA Law School alum, Delia L. Franco, in her two-attorney immigration firm, Franco Law Group ("FLG"). Ms. Franco had two offices, in Los Angeles and San Diego. What attracted me to Ms. Franco's firm was her vision of a humanitarian practice—she encouraged compassion while constantly pursuing high quality representation. Her vision overlapped with my own, and hers became the firm through which I wanted to develop my rebellious practice.

The staff is small but effective. The majority work out of the East Los Angeles office: Ms. Franco, the lead attorney; three legal assistants/paralegals, all of whom are young, talented, and passionate Latinas; a finance administrator and receptionist. The San Diego office is run by UCLA Law alumnus Sergio Perez. The firm represents mostly low-income Spanish speaking immigrants from Central America and Mexico. It also has a growing non-Latino clientele: Vietnamese, South African, and Indian immigrants. The case load is primarily in deportation and removal defense (immigration court), bond hearings, motions to reopen and appeals before the Board of Immigration Appeals, family petitions, relief for victims of crime (U-Visa, VAWA), etc. Typically we have 350-400 active cases. More than a third of the cases are

in removal and deportation defense, and on a majority of these, I am the primary trial attorney.

VI. UNDERSTANDING THE PLACE WHERE WE PRACTICED IN  
EAST LOS ANGELES AND HAD A LIFE OF ITS OWN, THAT  
AS A REBELLIOUS PRACTITIONER I MUST COME  
TO UNDERSTAND AND DISSECT

When I started working at FLG, the office was located in Downtown Los Angeles, one block away from the Los Angeles Immigration Court. It was conveniently located for our clients and their families who had removal/deportation proceedings in court. Most people are unaware that in Southern California there are only two immigration courts for non-detained immigrants: Los Angeles and San Diego Immigration Courts. People have to commute up to 2-3 hours from cities and counties such as Ventura, Bakersfield, Santa Barbara, Lancaster, Riverside and San Bernardino to attend a court hearing. One can imagine the additional stress this typically traffic-snarled commute may cause families and loved ones who have to endure these scary proceedings. Unfortunately, this is a problem that affects immigrants in Northern California and as a whole.<sup>25</sup>

IMAGE 1. IMMIGRATION COURTS IN CALIFORNIA FOR  
DETAINED AND NON-DETAINED IMMIGRANTS (EXCEPT  
SAN FRANCISCO IMMIGRATION COURT)<sup>26</sup>



<sup>25</sup> For immigrants assigned to the San Francisco Immigration Court, commuting can be even more challenging given that it is the only immigration court in all of Northern California. This is also a nationwide problem considering there are only 59 immigration courts to serve the entire United States and its territories (namely Puerto Rico and Northern Mariana Islands). The United States Department of Justice, EOIR IMMIGRATION COURT LISTING, available at <https://www.justice.gov/eoir/eoir-immigration-court-listing> (last visited December 20, 2016).

<sup>26</sup> *Id.* at California.

When FLG needed to expand, it found an office in unincorporated East Los Angeles. Both Ms. Franco and I had our own ties to East Los Angeles. We both grew up there and continue to have family living in the area. Even as a practitioner Ms. Franco maintained an ongoing relationship to East Los Angeles by providing consultations and taking pro bono cases from the Centro Maravilla Service Center, a center relied on by the community for guidance and assistance on various social issues.

Although my connections to East Los Angeles remain strong, my presence as an immigration attorney created a different set of dynamics that required me to study our community through a different perspective. Unlike far more affluent communities in greater Southern California (cities such as Pasadena or Santa Monica, for example) where attorney offices are seen as reputable businesses, East Los Angeles has had a long history of *notarios* and attorneys who have preyed on low-income Latinos. I regarded myself as different from these predators. But I knew, at least initially, I would be perceived by most through that local history. To many, our new office served only as a reminder of how many practitioners and *notarios* had located in East Los Angeles to exploit the most vulnerable.

Despite or perhaps because of my particular history in East Los Angeles, I regarded it as my duty literally to study what life was like there in the current socio-political context.<sup>27</sup> I understood, and López certainly emphasizes in his teaching and lawyering and writing, that it is not enough to be brown with rebellious aspirations.<sup>28</sup> Being rebellious meant I had to learn the modern landscape of East Los Angeles, its needs, the ever-changing politics, and the changes created by the presence of multi-generational Latinos.

I did not have immediately available to me an equivalent of the Neighborhood Legal Needs and Resources Project, the extraordinary (perhaps singular) study López and his NYU clinical students and his Center for Community Problem Solving lawyers designed and implemented in New York City (focusing particularly in Bushwick, Bedford-Stuyvesant, East Harlem and Harlem, Chinatown and the Lower East Side, but including all five boroughs). I certainly did not have the unique data the Center for Community Problem Solving could use in working with clients and client communities to frame and address

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<sup>27</sup> López routinely and emphatically emphasizes the need for this study – as lawyers, not just as law students – on a continuing basis. See, e.g., LÓPEZ, *supra* note 2; Gerald P. López, *Transform—Don't Just Tinker With—Legal Education*, 23 CLIN. L. REV. 471 (2017).

<sup>28</sup> With equal regularity and emphasis, López stresses this truth, both in all the trainings he does inside and outside laws schools, in his lawyering, and in his written work. See Gerald P. López, *Learning About Latinos*, 19 CHICANO-LATINO L. REV. 363 (1998).

problems. But I could take full advantage of the methods and aims they employed, formulate provisionally a more modest yet important game plan, and learn hugely more than most before working in a particular community.

Formally studying East Los Angeles presents its own distinctive challenges. If many Latino communities in the United States have been neglected by scholars, by diverse non-fiction and fictional writers, and by the government agencies issuing reports, East LA has been the focus of intense interest, certainly since the advent of the modern Chicano movement in the 1960s and, in some respects, even before then.<sup>29</sup> Making matters even more complex, East LA is both a real place with actual people and a documentable past and a mythological space through which and on to which many impose dreams of everything from a new Los Angeles to a new Aztlán.<sup>30</sup> Studying this literature—and every other source from movies to music to iconography—offers any rebellious practitioner both valuable portrayals of East Los Angeles and strong reasons to want to learn more still.<sup>31</sup>

<sup>29</sup> For just a sample of the massive written work focusing upon East LA and at least regarding it as central to understanding Mexicans and Chicanos East LA, see ALFREDO MIRANDÉ & EVANGELINA ENRÍQUEZ, *LA CHICANA: THE MEXICAN-AMERICAN WOMAN* (1981); RICARDO ROMO, *EAST LOS ANGELES: HISTORY OF A BARRIO* (1983); ALBERT CAMARILLO, *CHICANOS IN CALIFORNIA: A HISTORY OF MEXICAN AMERICANS IN CALIFORNIA* (1984); ALFREDO MIRANDÉ, *GRINGO JUSTICE* (1987); GEORGE SANCHEZ, *BECOMING MEXICAN AMERICAN: ETHNICITY, CULTURE AND IDENTITY IN CHICANO LOS ANGELES, 1900-1945* (1993); IAN HANEY-LÓPEZ, *RACISM ON TRIAL: THE CHICANO FIGHT FOR JUSTICE* (2003); IAN HANEY-LÓPEZ, *WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE* (1996); *THE LATINO/A CONDITION: A CRITICAL READER* (Richard Delgado & Jean Stefancic eds., 1998); MARTHA MENCHACA, *RECOVERING HISTORY, CONSTRUCTING RACE: THE INDIAN, BLACK, AND WHITE ROOTS OF MEXICAN-AMERICANS* (2001); G. J. Sanchez, 'What's Good for Boyle Heights is Good for the Jews': *Creating Multiracism on the Eastside During the 1950s*, 56 *Am. Q.* (2007).

<sup>30</sup> In various genres of Chicana and Chicano thought, many use Aztlán as the name for that part of Mexico taken over by the United States after the 1846 Mexican-American War, asserting this entire area marks Aztec migrations. All of the groups that would subsequently become the various Nahuatl-speaking peoples of central Mexico apparently did pass through this region. See JOHN R. CHÁVEZ, *THE LOST LAND: THE CHICANO IMAGE OF THE SOUTHWEST* (1984); JUAN GÓMEZ-QUINONES, *ROOTS OF CHICANO POLITICS, 1600-1900* (1994); *LAND AND POLITICS IN THE VALLEY OF MEXICO: A TWO THOUSAND YEAR PERSPECTIVE* (H. R. Harvey ed., 1991); OAKAH L. JONES, JR., *LOS PAISANOS: SPANISH SETTLERS ON THE NORTHERN FRONTIER OF NEW SPAIN* (1979); DOUGLAS MONROY, *THROWN AMONG STRANGERS: THE MAKING OF MEXICAN CULTURE IN FRONTIER CALIFORNIA* (1990); *MEXICAN AMERICANS AND SPORTS: A READER ON ATHLETICS AND BARRIO LIFE* (Jorge Iber & Samuel O. Regalado eds., 2006). Modern fictional and autobiographical accounts often seem to combine descriptions of down-and-dirty life in East LA with a discernible if perhaps less-than-conscious mythologizing impulse. See, e.g. LUIS J. RODRIGUEZ, *THE REPUBLIC OF EAST LA: STORIES* (2003); MARIO T. GARCIA AND SAL CASTRO, *BLOWOUT!: SAL CASTRO AND THE CHICANO STRUGGLE FOR EDUCATIONAL JUSTICE* (2011); MARIAN FLANDRICK BRYA, *STARS OVER EAST L. A.* (2014).

<sup>31</sup> For a sample of relatively well-known movies set in East LA, see *MY FAMILY/MI FAMILIA* (New Line Cinema 1995), *STAND AND DELIVER* (Warner Brothers 1988), *TOR-*

Certain basics matter enormously, as both points of departure and data to routinely update. As López teaches both students and practitioners of every age, we can and should begin by digging up or pasting together from modern electronic sources updated maps, recent demographics, names and locations of various related services.<sup>32</sup> And we can and should develop, at least initially in confidential formats, ways of rating the quality of diverse problem-solving help, including but hardly limited to legal services. In very old-school terms, rebellious practitioners can and should be routinely creating directories and a confidential “Zagat-like” consumer survey of available problem-solvers included in those directories. Word-of-mouth counts—counts lots and yet even word-of-mouth must be vetted like any other information.

Very much in the rebellious tradition, I aimed to be both street savvy and ethnographically sophisticated. The two go hand-in-hand, each informing the other, together providing both snapshots and even longitudinal information. Community knowledge should shape community problem solving, and even if only in rudimentary ways I aimed immediately to make this happen.<sup>33</sup> To provide only a glimpse of information I gathered and studied, all in addition to available popular and scholarly literature and to information from all my sources and their sources, take a glance at what maps and demographics tell us about East Los Angeles, the unincorporated expanse of Los Angeles County, immediately east of downtown Los Angeles and immediately surrounded to the south, west, and north by a range of small cities, some part of the metropolitan areas industrial belts (City of Vernon, City of Commerce, for example) and others regarded as part of the San Gabriel Valley (Monterey Park, Montebello).<sup>34</sup> What does to-

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TILLA SOUP (Samuel Goldwyn Films 2001). And for some examples of musicology focusing, at least in part, on East LA, see STEVE LOZA, *BARRIO RHYTHM: MEXICAN AMERICAN MUSIC IN LOS ANGELES* (1993); STEVE LOZA, *TITO PUENTE AND THE MAKING OF LATIN MUSIC* (1999); DEBORAH R. VARGAS, *DISSONANT DIVAS: THE LIMITS OF LA ONDA* (2012). For the role iconography in the Chicano Movement, including in East LA, see MARC SIMON RODRIGUEZ, *RETHINKING THE CHICANO MOVEMENT* (2013).

<sup>32</sup> See, e.g., López, *Shaping Community Problem Solving*, *supra* note 3.

<sup>33</sup> See *id.*

<sup>34</sup> There are literatures, too, about these cities. For example, Monterey Park’s transformation into one of the principal Asian American cities in the country has attracted much scholarly and popular attention. See, e.g., TIMOTHY FONG, *FIRST SUBURBAN CHINATOWN: THE REMAKING OF MONTEREY PARK, CALIFORNIA* (1994); JOHN HORTON, *POLITICS OF DIVERSITY: IMMIGRATION, RESISTANCE, AND CHANGE IN MONTEREY PARK, CALIFORNIA* (1995). And the City of Vernon, a long-standing corporate manufacturing, processing, and distributing site presenting itself as a city, fascinates readers and viewers with its corruption, including serving as the model for the fictional city of Vinci, California in *True Detective*. See Hector Becerra, *A Times Writer’s Take on ‘True Detective’s’ Vinci: That was Vernon in a Nutshell*, *LOS ANGELES TIMES*, July 4, 2015.

day's East LA look like, grapple with, through what resources?

Knowing that little would substitute for much-vetted word-of-mouth knowledge and any sophisticated survey I might later undertake, here are at least discoverable points of departure:

## IMAGE 2. LATINO POPULATION IN LOS ANGELES COUNTY BY NEIGHBORHOOD

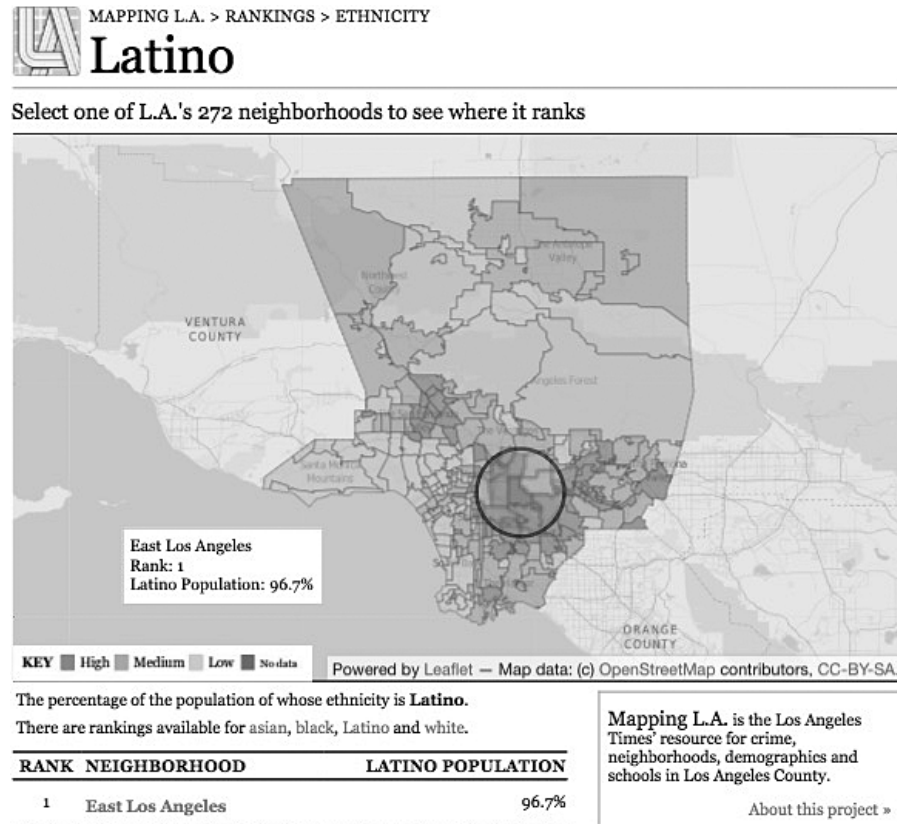


Image 2 shows that unincorporated East LA is the most heavily Latino populated neighborhood or city in all of Los Angeles county, ranking first.<sup>35</sup> East LA does not have the highest immigrant population, but it ranks 40 out of 265 county neighborhoods, with 48.6% of its population being immigrant.<sup>36</sup> Most concerning, East LA ranks as one of the lowest Los Angeles neighborhoods with high school and

<sup>35</sup> *Mapping L.A., Rankings, Ethnicity, Latino*, LOS ANGELES TIMES, available at <http://maps.latimes.com/neighborhoods/ethnicity/latino/neighborhood/list/>, (last visited Dec. 31, 2016).

<sup>36</sup> *Mapping L.A., Rankings, Ancestry, Foreign Born*, LOS ANGELES TIMES, available at <http://maps.latimes.com/neighborhoods/foreign-born/neighborhood/list/#east-los-angeles>, (last visited Oct. 28, 2016).

four-year college degrees, as demonstrated by Image 3.<sup>37</sup> East Los Angeles also has one of the lowest median household income, \$38,621, ranking 229 out of 265 neighborhoods, with one of the highest number of household members per size 3.9, as shown by Images 4 and 5.

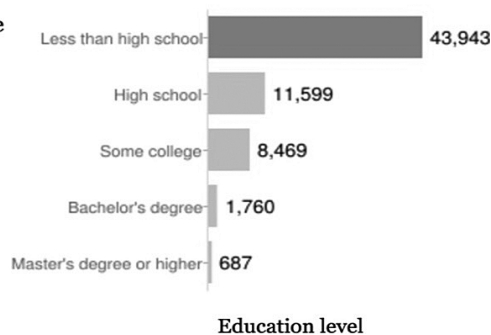
Even with the Chicana and Chicano Movement, East LA remains a neighborhood of struggling families, with mediocre to horrible educational opportunities, with a high average household size surviving on low household income. And there is no reason to believe racism does not continue to play its role in how diverse sectors conceive of and deliver services, including law enforcement. Yet those who provide legal problem solving may well rank among the worst of service providers. At least if word of mouth is reliable, East LA remains a target for *notario* and attorney fraud.

We need studies to closely map the important details and even idiosyncratic patterns of the particular forms of hyper-coerced capitalism. Yet for all the important and even idiosyncratic details, the story of market exploitation looks all too familiar. Knowing the residents of East Los Angeles do not have comprehensive registries of able and honorable lawyers and *notarios*, the most predatory of service providers target all who live there. They do because they realize it remains true that if individuals and families have very little to no knowledge on how to navigate the legal system themselves, they will likely pay for legal help. And they will pay even if they remain suspicious of all who call themselves lawyers and notaries. Desperate need too often trumps sensible doubt.

### IMAGE 3. STATISTICS ON EDUCATION FOR EAST LOS ANGELES

#### Education

- **3.7%** of residents 25 and older have a four-year degree, **low for the Eastside** and **low for the county**
- In Los Angeles County, **Wilmington, Maywood and Florence-Firestone** have the nearest percentage of residents 25 and older with a four-year degree.
- The percentage of residents 25 and older with **less than a high school diploma** is high for the county.

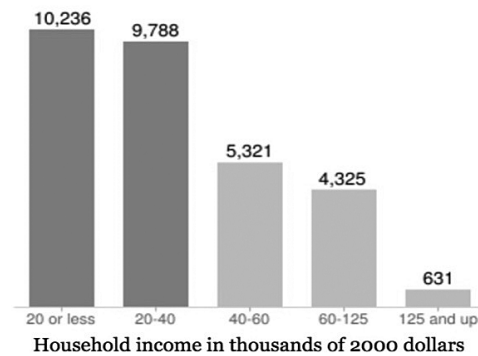


<sup>37</sup> *Mapping L.A., Eastside, East Los Angeles*, LOS ANGELES TIMES, available at <http://maps.latimes.com/neighborhoods/neighborhood/east-los-angeles/>, (last visited October 28, 2016).

## IMAGE 4. STATISTICS ON INCOME FOR EAST LOS ANGELES

### Income

- **\$38,621** median household income (2008 dollars), **high for the Eastside** but **low for the county**
- In Los Angeles County, **East Compton, El Monte and Mid-City** have the most similar household incomes.
- The percentages of households that earn **\$20,000 to \$40,000** and **\$20,000 or less** are high for the county.



## IMAGE 5. STATISTICS ON HOUSING FOR EAST LOS ANGELES

### Housing

- Average household size of **3.9** people, **high for the Eastside** and **high for the county**
- **El Monte, Windsor Square and Vermont Vista** have the most similar percentage of homeowners in Los Angeles County.

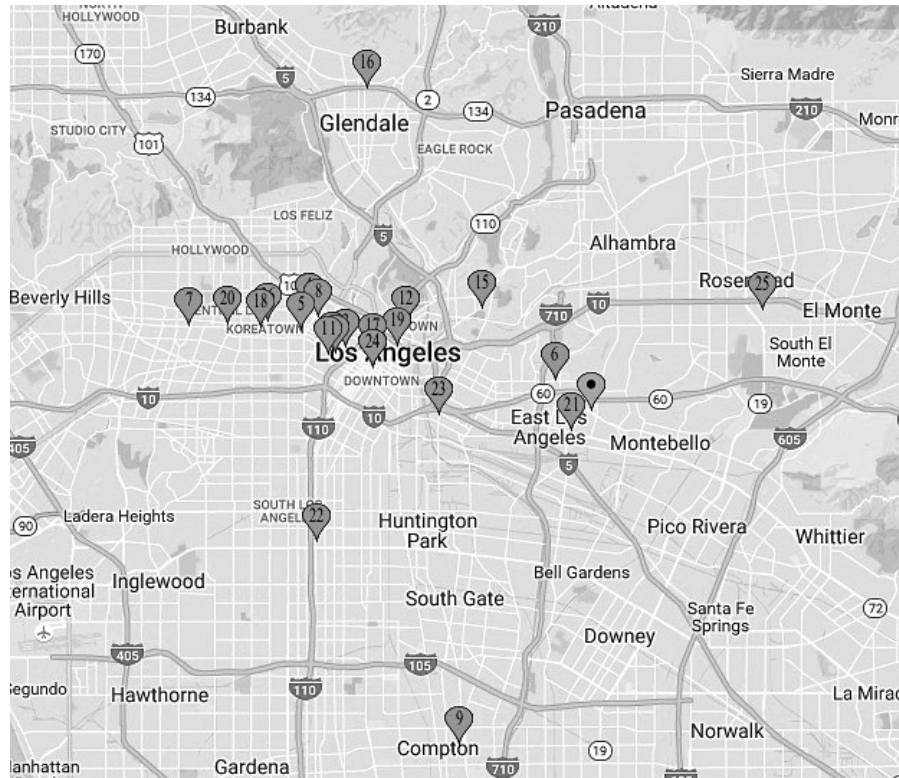


Most frustrating, perhaps, are the limited legal resources available to East Los Angeles. Most lawyers and *notarios* are located central to Downtown Los Angeles.<sup>38</sup> This basic fact proves challenging in at least two ways. Clients have to take long commutes to these legal organizations. Most of my clients, at least, lack reliable transportation. Even with access to public transportation, commutes can take from 1 to 2 hours one way.

<sup>38</sup> See Appendices, Chart 1, Immigration Legal Services in Los Angeles.



IMAGE 6. FRANCO LAW GROUP (DOT) IN RELATION TO  
IMMIGRATION LEGAL SERVICES NEAR EAST LA  
(NUMBERED LOCATIONS)



NOTE: For name and location of each organization listed, please see Appendix. This is not an exhaustive list of all non-profit immigrant organizations in Los Angeles county.

But the second problem is where exactly to go for competent help? Non-profits often do not serve a wide range of immigrants; certainly that's true of the clients we at the Franco Law Group represent (say, for example, immigrants with criminal records). Even when they do offer services, it remains enormously difficult to spread the word to immigrant populations. Immigrants still have less access to internet or even telephones than most presume. Overcoming such obstacles remains a priority. And to avoid predatory practices, a huge one.

In recent efforts to limit *notario* and immigration fraud, the Los Angeles Immigration Court has gone through a very selective process in developing its "List of Pro Bono Legal Services Providers." After implementing new regulations in 2016, a majority of the listed mem-

bers disappeared.<sup>39</sup> It is far preferable to have a small list of higher quality legal service providers than the situation the Los Angeles Immigration Court aims to displace. Yet the aim remains to provide immigrants with a broader swath of competent problem solvers, geographically dispersed.

## VII. THE BATTLE OF BEING A REBELLIOUS PRACTITIONER IN A HIGH-VOLUME SMALL IMMIGRATION FIRM

At FLG, everyone from the boss to the staffers expected me to be the primary trial attorney. That meant, from my first day forward, I have had to review and complete affirmative applications to USCIS, conduct investigations, hold consultations with potential clients, work on time-consuming waivers for consular processing cases, travel to immigration detention centers (usually 1-2 hours of commute each way), attend court hearings (average 2-3 times a week), prepare for trial, and train staff. Certainly at the outset, I had to focus all my intellectual and emotional energy on just learning the practice, everything broadly legal and non-legal, from the deepest levels to the most particular and even idiosyncratic ins-and-outs of office procedures.

My experience proved similar to a deals lawyer starting out at a small for-profit economic development firm. She knows how to be a transactions attorney. But by necessity she must study and adapt to “this particular practice”—as a way of being at all good, as a way of figuring out how to get better and better (including more original) still as time unfolds. The deals lawyer will find herself consumed with learning about past and current and potential clients. Consumed with learning about local, regional, national, and, often, global markets. About melding private, public, and civic sector resources and interests. About how redevelopment deals may contrast with plans not involved that familiar and much-developed body of law.

She will find herself equally preoccupied with assessing the quality of the firm’s “standardized contracts” and all that goes into them and surrounds them. The various ways in the past lawyers have customized these internal forms. Entire sections and particular clauses. What these standardized and customized variations tell her about boundaries and limits of such contracts and such deals. About the role of raw power—and negotiating strategies and tactics—in piecing together deals clients will find desirable, acceptable, perhaps both. How to build deals from the ground up? How to enter later in the process, catch up, fill what roles required by the circumstance? How to help

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<sup>39</sup> See Appendix, Chart 2, Executive Office of Immigration Review, California, List of Pro Bono Legal Services Providers; 8 C.F.R. §1003.61 (2015).

clients hold others accountable to their obligations, sometimes defined by contracts, sometimes by the background laws and industry practices against which the contract must be interpreted?

Just as it would be for the deals lawyer, the learning process has been as predictably intense as it is absolutely necessary. Experienced as in many ways I have been forced to become, I still regard this process as unfolding. Far fewer situations surprise me or make me feel I have to start from scratch. Yet the demands are wide and varied and immediate. Immigration firms, especially those with caseloads based on family petitions and deportation/removal defense, typically include a high-volume of clients. The volume largely reflects 1) competition with *notarios* and lawyers working at shoddy immigration firms who guarantee great results without the ability and willingness to realize these promises, leaving immigrants searching for help, and 2) representing members of low-income communities who cannot afford services without a flat-fee or monthly payments.

How do we manage—how do I manage—dealing agilely with completing the many daily tasks expected of me, providing high-quality representation, engaging in regular conversations with clients regarding their circumstances and particular cases, staying engaged with the larger communities with whom we regularly work, and constantly revisiting my expectations of what it means to be a rebellious practitioner in this particular setting?

What became evident was that, perhaps especially because of our rebellious aspirations, including providing an even more demanding standard of high-quality services, our firm faces our own heightened brand of challenges small for-profit immigration offices often confront:

- an over-worked staff (legal staff, in addition to attorneys, staying past 7pm-8pm more than twice a week);
- clients who struggled to meet monthly payments or failed to pay at all despite very reasonable rates (not just now and then but frequently);
- clients who failed to collaborate in ways much needed and not simply desired (failing to bring proper documentation because they did not understand the severity of their situation, lacked access to transportation, could not speak English well enough to request documentation from criminal or family courts);
- clients who lacked a support system to help them overcome real socio-economic challenges (abuse by employers, harassment by the criminal system, limited educational opportunities, family dysfunction).

From the beginning, I knew that in my rebellious for-profit firm I would have to learn to deal constructively with not just the pressures of having to make a profit and not just the enormous responsibilities of fulfilling daily tasks implicated by work as already defined. I would have to do battle—head on, with resourcefulness, with resilience—with the tendency too often apparent among young attorneys: losing the hope of practicing rebelliously, precisely because this counter vision cuts against the grain of so much that defines the legal, economic, social, cultural, and ideological realms. If we really mean to sustain and build and realize a radically different world, we should not for a moment regard that aspiration as in any way easy.

#### VIII. EXPERIENCING EMPATHY'S COMPLEXITIES AND CONTRADICTIONS WITHIN MY PRACTICE

As the months unfurled, I began to detect how much I felt myself relying heavily on my ability to grasp, understand, and identify with how others are feeling and thinking. On the capacity to empathize I had developed through a lifetime of facing experiences the way my Mom and my debate coaches and López urged through informal and formal training. It's not at all that I ever thought empathy was a "cure-all." Empathy does not make us good. Imagine Bill Clinton yet again intoning "I feel your pain."<sup>40</sup>

Neither do I mean to say I regarded, from the outset, an empathetic orientation as *the* deliberate strategy. Instead at some half-conscious level, I appeared to myself to have believed empathy would help me give life to, broaden, and deepen the aspirations to work rebelliously. I had prepared to practice rebelliously—to understand concretely and abstractly—how the problem solving lawyers pursue with others can be undertaken to employ methods and achieve aims others dismiss as "out of reach." To fight the odds, though, empathy could do "lots of work"—serve as a valuable enhancer of sorts. Or at least I seemed to be surmising. Empathy could push me through, would push us through, to work together in ways we imagined we could realize, if always against the odds.

Yet the realities of my for-profit rebellious vision begin to reveal, in fits and starts, that in everyday work empathy proves remarkably more complex—and contradictory—than I had ever anticipated, much less planned for. Not more contradictory and complex than López has written about, urged me and other students to appreciate, exhorted practitioners of all sorts to understand. Apparently, though, I emo-

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<sup>40</sup> Jennifer Senior, *Review: 'Against Empathy,' or the Right Way to Feel Someone's Pain.*, N. Y. TIMES, December 6, 2016.

tionally resisted the very message I thought I had intellectually comprehended. I appeared to regard empathy as unequivocally useful. I did not foresee the intensity of the experience, especially in heart-wrenching situations. I should have, I know. Certainly life had already taught me that empathy can be destructive, as it tugs at us to do what perhaps (and even certainly) we should not. I have no ready-made explanation, only reflections imposed by efforts to deal with experience.

#### IX. EMPATHY IN THE REBELLIOUS VISION

If you have worked with or trained under López, you can experience directly the empathy he writes about in his elaboration of his rebellious vision. If you have not had the opportunity to work with or be taught by him, then his written work provides the very view I so fended off in my early years in practice. Beginning with *LAY LAWYERING*, continuing on through *REBELLIOUS LAWYERING*, and in many of his published and unpublished works, López emphasizes how to feel and think about empathy. He illuminates and evokes how to practice aware of its opposing currents.

One important way to understand empathy is through the very terms so central to understanding how the rebellious vision offers an alternative to the regnant vision. In the regnant vision, we treat boundaries as literally or virtually impenetrable. Most importantly, in the regnant vision lawyers' work is treated as distinctive, perhaps unique. That's why, at least in my experience, far too infrequently does legal education feature the relationship between professional lawyering and human problem solving. From all I have studied and have heard, law schools do not typically train future lawyers, through bold and detailed methods, to appreciate the connections between what a lawyer does and what we all do in framing and addressing life's endlessly varying circumstances.

At least as surprisingly, most law schools do not require law students to closely examine how the problem solving practiced by lawyers compares to the problem solving practiced by so many other professions (much less trades and crafts and arts). In the reigning vision, empathy itself is best understood, and certainly best practiced, as something we should radiate but certainly never allow to affect our judgment, much less put us at risk. This deeper understanding of empathy within the regnant vision may well help explain the ways the legal profession consolidates the very ideas of "objectivity" and "neutrality" (particularly as practiced by judges "faithful to the law").<sup>41</sup>

<sup>41</sup> See Duncan Kennedy, *Freedom and Constraint in Adjudication: A Critical Phenome-*

By contrast, the rebellious vision understands professional lawyering (and all expertise) as “stylized variations on human problem solving.”<sup>42</sup> The boundaries between lay and professional practices are regarded as porous. If we are to work together as co-eminent practitioners, we mean deliberately to remain open to what we can learn from one another, across all boundaries at once. In this theory of problem solving, empathy itself is and should be understood as porous too. Precisely to understand one another—and to feel one another’s experiences—better than we might otherwise, we learn to and work to always keep ourselves open rather than closed off.<sup>43</sup>

Just as remaining open to what we can learn from one another can endanger presumed expertise (of every sort, from street smarts to polished professionalism), empathy practiced through porous boundaries can pressure us to feel what might well prove unhealthy and unwise. Through the porous boundaries encouraged by the rebellious vision, we can see the humanity even in those who have committed the most heinous of crimes. And if we’re imaginative enough, at least in our fictional writing, we can see the polar bears in humans and the humanity in polar bears.<sup>44</sup> Yet if in practice our empathy allows us not just to imagine but indeed to become closely entangled, we may well now and then find ourselves imperiled.

We can and should aim to understand others, feel what others feel, from their perspective. That can be incredibly hard and yet remains endlessly important. To what degree that aspiration is *entirely* achievable remains an open question. Disagreements may reflect mutually exclusive differences in definition.<sup>45</sup> And certainly just how far we can indeed feel what others feel will doubtlessly be illuminated by the growing field of cognitive neuroscience.<sup>46</sup> But grounded experience strongly suggests that, with intellectual and emotional training, we can get better. Certainly we can see around us, we can experience, others who surely do appear able to understand the conditions and forces driving others people to think and feel and behave as they do.

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nology, 26 J. LEGAL EDUC. 518 (1986).

<sup>42</sup> See, e.g., López, *supra* note 20; López, *supra* note 27.

<sup>43</sup> BRYAN STEVENSON, JUST MERCY – A STORY OF JUSTICE AND REDEMPTION (2014).

<sup>44</sup> YOKO TAWADA, MEMOIRS OF A POLAR BEAR (2016).

<sup>45</sup> Contrast the definitions offered in two notable works. PAUL BLOOM, AGAINST EMPATHY: THE CASE FOR RATIONAL COMPASSION (2016) and SIMON BARON-COHEN, ZERO DEGREES OF EMPATHY: A NEW THEORY OF HUMAN CRUELTY (2011).

<sup>46</sup> See, e.g., Tania Singer, *The Neuronal Basis and Ontogeny of Empathy and Mind Reading: Review of Literature and Implications for Future Research*, 30 NEUROSCI. BIOBEHAV. REV. 855 (2006); Lian T. Rameson and Matthew D. Lieberman, *Empathy: A Social Cognitive Neuroscience Approach*, 3 SOC. PERSONAL. PSYCHOL. COMPASS 94 (2009); Sylvia A. Morelli, Matthew D. Lieberman, Jamil Zaki, *The Emerging Study of Positive Empathy* 9 SOC. PERSONAL. PSYCHOL. COMPASS 57 (2015).

No matter how much we come to understand the conditions and forces, however, no matter who much we feel profoundly about what drives others, we need not and should not think our understanding means “accepting” what they think true or “forgiving” them what they do. At least as López teaches, that’s a related yet separable affair, all part of understanding the internally conflicting capacity we call empathy. We can and should aim to feel, aim to think, like our clients, our co-workers, our allies and foes—and on and on. We should not, however, come to think or feel that we should conflate understanding others with having to accept what they do or think. Within empathy, we have both questions to answer: how do they feel and what do we make of what they feel, think, and do. To collapse the second question into the first is not just wrong, it’s dangerous, to others and to ourselves.

I am willing to work to understand how all those who supported Trump feel and think about the world and the candidates. Absolutely willing and eager, practically and morally. In my worldview, in the rebellious vision, it’s what I think it means to be human and it just happens to be part of my work as I understand it. But doing all I can to understand how Trump supporters feel does not mean I must accept their interpretations as conclusive, their judgments as wise, their opinions as decent. Certainly don’t tell me for one moment I must excuse dangerous misogyny, xenophobia, racism (or you name it) just because I agree I should work endlessly smart and hard to “get their anger.”

Even with clients we utterly identify with, even with clients we do not regard as at all dangerous, we must both understand and confront as part of the empathy central to problem solving. Even with people we like, even with people we deeply admire, we must again understand and confront. And so it goes. Certainly in the course of representing others, problem solvers can never afford simply to aim to replicate another in her situation. Even when aiming accurately to convey how someone else feels or thinks, mindless mimicry is as misbegotten as it may be impossible.<sup>47</sup> The democratic and egalitarian collaboration at the heart of rebellious lawyering requires an approach as astute as empathy is internally clashing.

## X. IN SENSUOUS DAILY PRACTICE

Empathy porously bounded permits me, sometimes forces me, to be more at one with the client. I listen to her, take her ideas seriously,

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<sup>47</sup> See López, *supra* note 5. For a superb depiction and analysis of a remarkable practice, including the active embrace of (without a moment of romanticizing) “lay advocates,” see Carpenter, *supra* note 3.

investigate ways she imagines we might do something to remedy the situations she confronts. She notices. And she begins to focus on me too, perhaps in ways different than simply “checking out” her attorney. She may even appreciate over time how busy I am, other clients I represent, other work I am doing. We move toward understanding—I of her situation, and she of mine.

Together our collaboration leads, at least in these circumstances, to more creative strategic thinking. Even when I cannot figure out a way to get her permanent immigration relief (such as lawful permanent residence), fighting hard to get a work permit may change life as she has come to accept it. Of course she remains vulnerably undocumented. Yet now she sees more options for how to earn a living to help support her family. Perhaps if you’ve not lived without papers and a work permit, this relief may seem tangential, especially for an immigration lawyer to emphasize. But in the world of undocumented life, the seemingly peripheral can emerge central—at least central when all else proves undoable. And if grounded imagination follows from empathy rebelliously practiced, then we should not shortchange, much less fail to appreciate, every positive effect.<sup>48</sup>

Porously bounded empathy can at its best serve to help alter office-wide behavior. In all sorts of practices, including but hardly limited to immigration, clients can readily become cases and cases become “stick figures.” Insider lingo tends to distance these stick figures with cases from the humans who first walked through our door. Listen to personal injury lawyers describe clients by their injuries; listen to criminal defense counsel describe clients by their charges. Avoiding this distancing—this often degrading and certainly alienating lingo—turns out to be a bigger challenge than rookie lawyers might imagine. And yet fighting this descent proves as doable as it is important to a problem solving practice.

By treating clients as people, talking about them as folks facing problems, we can begin to decrease and perhaps even eliminate the savvy insider rhetoric that routinely demeans those we represent and work with. Straightforward changes can alter an environment. What does Mrs. Ruiz’s schedule permit? Her work hours? Her children’s school schedule? What does her criminal history do to her chances of obtaining immigration relief? How much does her family turmoil contribute to her anxiety? Her seeming timidity? If she were my best friend, what’s the most I could imagine an immigration lawyer doing for her? Not just an immigration lawyer but an A+ immigration lawyer and her resourceful office and their network of the very best

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<sup>48</sup> For a candid portrayal of just how demanding, in all ways, immigration practice can be, see Hing, *supra* note 6.



contacts?<sup>49</sup>

Yet opening ourselves to one another always entails varied possibilities. From day one at my firm, appreciative of how much my clients reminded me of my parents and our friends, I never minded picking up phone calls after work and on weekends. And, yes, at 3 a.m., when family members think my client is getting removed, and we have to call ICE removal offices to find out what's going on.

Offering the most effective problem solving, sometimes means working at inconvenient times and places. Young and strong and earnest as I may be, I am not unaware of the price this kind of 24-hour service can impose. Can making myself *that* available make the sense I first imagined? Or any sense at all over the middle- and the long-run? What limits can I place on my availability? What sort of rotating calendar might I create with others who face similar demands and regard at least some absolutely inconvenient calls as utterly sensible?

Understanding a client's specific financial and personal limitations often follows from practicing porously bounded empathy. Shared knowledge helps brainstorm, devise, and implement strategies both ambitious and yet feasible. Yet the seemingly unadulterated good of shared knowledge entails real risks. If and when clients use a lawyer's knowledge of their limits to take unfair advantage of the lawyer, closeness somehow gets converted into a bad as much as a good. And it happens. And it happens more than we might wish, if far less often than some fear. And it happens because poor immigrants, like every other population, range across the bell-curve.<sup>50</sup>

Of course I may feel a special affinity for the situations immigrants face, especially caught between the machinations of countries like the United States and Mexico. Yet identifying with immigrants' plights does not convert them into romantic heroes. Or at least it shouldn't. Immigrants are not inherently superior to other groups or better than other clients we might work with. We have no aggregated "hard data," but having grown up within and surrounded by immigrant communities, I know we ought *not* imagine immigrant as anything other than fully human. And that means they too can prove capable of advantage-taking, even of the very same lawyer doing all she can to help them.

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<sup>49</sup> The staffers with whom I work do a remarkable job, and when imagining a rebellious law office it is for me impossible not to recall the characters and the space and the place in the second chapter of *REBELLIOUS LAWYERING*, entitled *A Non-Profit Law Office in Transition*. See LÓPEZ, *supra* note 2, at 83.

<sup>50</sup> To be exposed to those who share their experiences of empathy in shaded and subtle and no-easy-answer ways is to expand our appreciation and imagination of what we're dealing with. For one significant example, see LESLIE JAMISON, *THE EMPATHY EXAMS: ESSAYS* (2014).

Advantage-taking takes all forms. A client may delay in gathering relevant evidence, might continuously postpone meetings, might arrive late to appointments. Perhaps transportation for someone so poor turns out to be a byzantine nightmare, not hard to imagine in Los Angeles. Perhaps, though, there is no deep or good explanation. The client might not prioritize her tasks in the same way she expects her lawyer to prioritize her case. But shrugging off obligations hardly marks the limits of advantage-taking. Indeed, some clients probe to see what limits, if any, may constrain their behavior. Suddenly you experience her making requests unreasonable when measured by any standard. Does she mean it? If she does, what is she imagining I am and we at the office are? And how will she respond when we say no, say no again, and say no yet another time accompanied with a description, straightforward and firm, about such requests being beyond what anybody has agreed to do for her?

What if clients fail to keep up with scheduled payments? What if the failures occur early in the cycle? The explanation sometimes may be short-term financial difficulty, soon overcome, getting everything back on track. Yet some clients do not get back on track, and some may not even be trying very hard. If the situation turns extreme, do we continue representing or withdraw altogether? Even apart from the professional ethical issues implicated, the decision is fraught. If the client is a minor, an abused woman, or a mentally ill man, our withdrawal may result in going unrepresented or, sometimes worst still, paying a lump sum for the help of an unethical attorney or *notario*. Where does my porously empathetic appreciation for financial difficulties leave me then?

Of course such decisions can take a toll. Clients who have hugely time-consuming (expensive) cases usually require *more* work for *less* compensation. I have spent years representing people without the financial resources to pay for the representation they require. Yet, at least often enough, those clients can be fairly regarded as most in need of my problem solving chops. If at some point, they cannot pay more, what do I do? I have continued, of course. Yet I realize the more I agree to be retained by these at-risk clients, the more likely it is that I will confront such dilemmas time and again.

Yet how impossible it can feel to turn away someone in desperate need. One client, facing deportation proceedings, had a long history of suffering sexual abuse, and her diagnosed mental health issues included manic depression and suicidal tendencies. ICE detained her for over a year. During that time, she refused to take medication or have a doctor examine her. Medication made her feel like a “zombie,” yet her illnesses grew worse. As her attorney, I gently yet firmly urged her

to see a doctor. A decent medical evaluation would most likely help her case with the state. But so far, she refuses.

I find myself seeking out the advice of family members, searching for alternative forms of health care, talking to mental health experts about how to understand her perspective. It's not on the "official list" of things most lawyers do, I realize. And that's certainly true when she cannot pay even for what "legally" we're trying to accomplish. Even knowing she cannot pay for what I do, even knowing she has her reasons for not cooperating in building the best case imaginable, how can I not work with her no matter where our collaboration may lead?

Another client, suffering severe mental issues (including suicidal tendencies), disappeared for four months. At his last court hearing, I had fully prepared to accept an *in absentia* order, citing my inability to contact him. Suddenly that morning, he appeared, in tears, for the hearing. We urged the Immigration Judge to continue the case. We explained my client had been severely depressed and suicidal. The Judge agreed—on the condition that my client prove his emotional state. And knowing that judge, I understood the explicit condition to mean business—to be complied with or else risk an order of removal.

To build this proof, I had to make sure my client attended therapy, compile the proper evidentiary reports to show emotional hardship, and ultimately prepare the argument for prosecutorial discretion and administrative closing. Yet it wasn't simply an instance of an inordinate amount of hand-holding. Our times together were characterized by emotional outbursts of all sorts, including pointed accusations that I was not effectively advocating on his behalf, not persuasively presenting his case. He berated and belittled me. In these exchanges, I firmly held my ground. As much as I would prefer never again to endure such an experience, I know we have a shot if we persevere. And his capacity to continue, in part, turns on my ability to endure his mental illness.

In a twisted way, porous empathy poorly practiced can take advantage of the client too. Or at least that's one way to think about what can and does happen when we identify too strongly with a client and skew our capacity to help generate, choose between, and implement strategic possibilities. In what for me has become a familiar seduction, I may want badly to believe in the goodness of a client, hoping he or she might have become a better person than the "record reflects." This yearning can lead to not seeing red flags that DHS will most certainly not miss. A resulting lack of preparation of the client on a range of uncomfortable and even ugly questions might expose the client to attacks at trial by the government that ultimately undercut the case. And how likely is it that this same lawyer would have

helped a client appreciate the likely outcome of the case? Failing to “manage the expectations” is not just professional jargon and can trace its origins to porously bounded empathy miserably practiced.

In still other ways, we can identify so strongly with a client we may seek to rationalize questionable decisions. A client might ask whether she must retain an attorney for an immigration interview, and the measured answer could be it is advisable but not absolutely necessary. And if as a lawyer you are concerned about a client’s financial situation—precisely because you’re *there*—you might even advise the client *not* to retain you. In fact, the available evidence suggests just how risky not having a lawyer is. Without a lawyer present, officers are more likely to make mistakes or feel little to no accountability. Without a lawyer, the case will far more likely linger for years without the system moving, ultimately costing the client more for court hearings because the matter is not resolved quickly or adequately.

At some point, though, shouldn’t we fairly begin to wonder if we’re taking advantage of ourselves? In any problem-solving practice, there is always a little (okay, a lot) more to do. In our immigration office, the stakes can be so high. Removal or deportation leads to family separation or forceful relocation of United States citizen children to their immigrant parent’s country of origin. In many instances, consequences can mean deportation back to a country where the immigrant’s life is placed in serious danger. Doing a little more can nearly always appear justified.

All these pressures may feel exaggerated in the early years of work. Certainly as a recently licensed attorney, especially in a practice where clients confront often difficult and even horrifying circumstances, it seems not just easy but almost natural to be consumed by work. Being consumed feels like what it takes to lawyer competently. As the months and the years pass, as we gain competence and aim for something higher still, our enhanced capacity to “handle the job” may simply lead to more cases. Having exited the initial phases, responsibilities grow and a greater number of deadlines loom.

Removal defense is almost always fast-paced and often unpredictable work. Deadlines get shuffled, hearings set with short notices. Emergency removal cases and their hearings often appear unexpectedly. Judges can be capricious and unbending when managing it comes to “their docket” and “their time.” A practitioner can begin any week thinking “I’ve got my calendar under control” only to discover the unexpected upsets the inner spirit if not the projected composure. The often erratic nature of the work may be “expected”—at some level of abstraction—yet that never makes the tumult readily manageable.

To be sure, our office in East LA should be designed to handle

the work we do. And to a remarkable degree, it is. We work with individual clients and our client communities with admirable agility. And, individually and collectively, we evince a cool-headed and utterly engaged resolve. Yet even lithe and poised organizations can do only so much. In an office of our own creation, we shoulder the responsibility of making certain our own aspirations do not eat us up. At least in my experience, it seems inauthentic to deny the brute fact that we can take advantage of ourselves, and it seems disingenuous to pretend that practicing porously bounded empathy does not heighten the likelihood of doing ourselves in.

#### XI. THERE SHOULD BE NO AVOIDING THE TRUTH ABOUT POROUS EMPATHY IN THE REBELLIOUS VISION

Like López, I came to understand and practice empathy as porously bounded through personal experience. And like López, I chose to convert personal experience into an ideologically defined professional practice through the rebellious vision. And perhaps like López, I have come to learn the hard way about the contradictory nature of empathy porously bounded. When in my immigration practice closeness jeopardizes and even damages, I become aware of what we had read, what we talked about, what we had emphasized in our live-client work in the Rebellious Lawyering Clinic. I *felt* the opposing pulls within empathy well practiced.

To be sure, learning the hard way can invite us all to pull back, to define empathy as unequivocally bounded, much as the regnant vision defines virtually all emotional and intellectual dimensions of problem solving. And we can see such retreats all around us, strengthening life as we already know it. Yet if we do not want to retreat, then certainly we must learn how better to classify what we have experienced. And we must learn how better to recognize in the future the inherently self-opposing qualities of the empathy we practice.<sup>51</sup>

When has empathy porously bounded proven radically enlightening and fulfilling? Proven deeply disappointing and unacceptable? When does it threaten the very health and happiness we aim through the rebellious vision to establish and sustain? And just how often does empathy porously bounded provide experiences that mingle bad with the good? Is there evidence that, at least now and then, we can disentangle them? Or is porously bounded empathy a form of deep compromise, even a truce, as disagreeable as it is valuable?<sup>52</sup>

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<sup>51</sup> Neuroscience would appear to be moving in this direction too. See, e.g., Jean Decety & Philip L. Jackson, *A Social-Neuroscience Perspective on Empathy*, 15 CURR. DIR. PSYCHOL. SCI. 54 (2006).

<sup>52</sup> López, *supra* note 1.

And at the deepest level, mustn't we learn to openly acknowledge, over and over, that we cannot always confidently discern in advance or in the midst of relationships what is happening? That we're taking risks even when we're deeply aware of empathy we have made our own? After all, the rebellious vision does not provide—indeed it rejects the possibility of developing—handy algorithms for sorting through and solving life's quandaries. No matter how much we develop our many senses, no matter how well we retrieve our relevant experiences, no matter how much we seek out the opinions of others we trust, we must acknowledge that we shall be potentially at risk in order to yield the insights and rewards of empathy porously bounded.<sup>53</sup>

## XII. CONCLUSION

I have offered just one of the thousands (the zillions) of case studies of for-profit rebellious practice we must produce, share, and learn from. If at least modestly well done, each can illuminate from varied perspectives systemic dynamics, intermediate domains, and important particulars. Indeed, each of us can produce many case studies of the same for-profit office or organization. What I featured in this article is just part of the whole. I could just as well have emphasized other themes, other realities, other inescapable truths. For that matter, I could productively approach some or all of the same topics through other methods.

One often neglected central message of *REBELLIOUS LAWYERING* is that lawyering is as endlessly bountiful as life itself. Our case studies ought to be as rich as the very best ethnographies, the very best phenomenologies, the very best “hard” statistical studies, the very best memoirs, the very best fictional works. There's not just one story, and there's not just one version of the same story. There's not just one analysis of the many imaginable analyses, and there's not just one version of the same brand of analysis. Like the practice of rebellious problem solving, perspectives matter hugely—to draw out, to appreciate, to assess, to grasp as always in play. It's not just that each of us perceives differently than do others. It's that each of us experiences practice (as we do life) through our own varied and contradictory perspectives.

Perhaps what I have shared will engage a small number of readers. And if that proves true, if some others find themselves asking questions about what they now do or might do in their work with

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<sup>53</sup> For a powerful evocation of the same phenomena in clinical teaching, see the uncommonly perceptive article by Daria Fisher Page, see Page, *supra* note 3.

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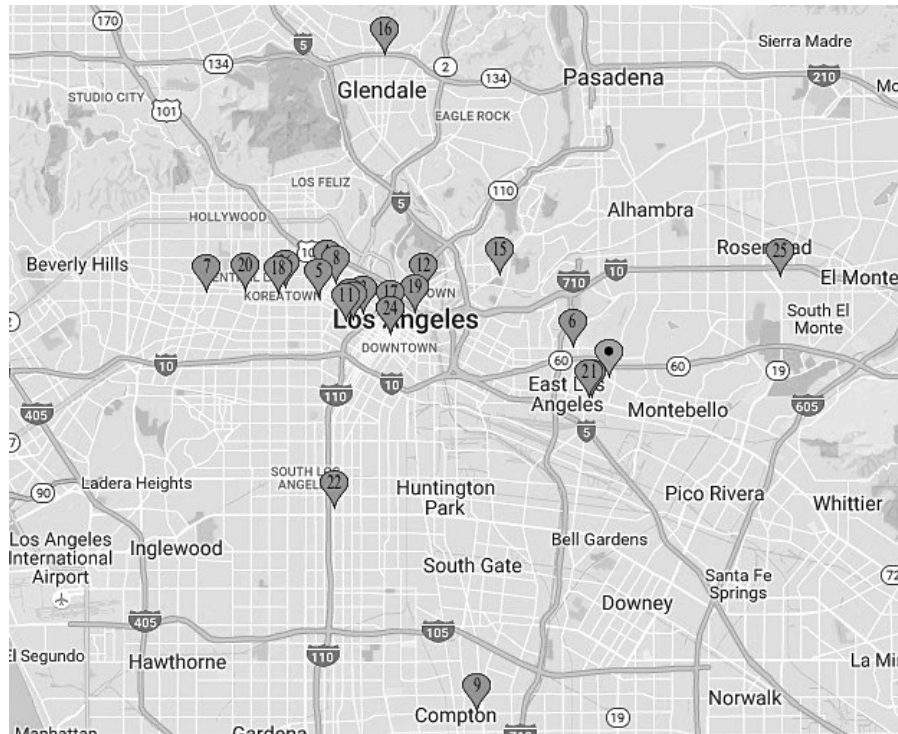
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others, I shall feel honored and gratified. The truth is, though, in writing this article, I have learned more than I knew before about what to date we have undertaken to practice rebelliously. And I have learned more than I knew before about what we might do immediately and in the longer-term to shape our work in ways truer still to what we aspire to accomplish. That experience is its own blessing. The beauty and joy of the rebellious vision is that we're always learning. I would expect nothing less of the pragmatic utopian vision that, together with others, I aim to help realize.

## APPENDIX

IMAGE 6. FRANCO LAW GROUP (DOT) IN RELATION TO IMMIGRATION LEGAL SERVICES (NUMBERED LOCATIONS)





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 Franco Law Group, APLC	 14 Immigrant Defenders Law Centers (ImmDef)*
 2 American Civil Liberties Union (ACLU)*	 15 International Institute of Los Angeles (IILA)*
 3 Asian American Advancing Justice (AAAJ)	 16 International Rescue Committee (IRC)
 4 Center for Human Rights and Constitutional Law (CHRCL)	 17 Kids In Need of Defense (KIND)
 5 Central American Resource Center (CARECEN)	 18 Korean Resource Center
 6 Centro Maravilla Service Center	 19 LACBA Immigration Legal Assistance Program
 7 Coalition to Abolish Slavery and Trafficking (CAST)	 20 Lambda Legal
 8 Coalition for Humane Immigration Rights of Los Angeles (CHIRLA)	 21 Legal Aid Foundation of Los Angeles, East Los Angeles (LAFLA)*
 9 Community Lawyers	 22 Legal Aid Foundation of Los Angeles, South Los Angeles (LAFLA)
 10 El Rescate Legal Services	 23 Los Angeles Center for Law and Justice
 11 Esperanza Immigrant Rights Project (Catholic Charities)*	 24 Mexican American Legal Defense and Educational Fund (MALDEF)
 12 Homeboy Industries	 25 Neighborhood Legal Services of Los Angeles (NLSLA)
 13 Immigration Center for Women and Children (ICWC)	 26 Public Counsel*

\* The organizations above with an asterisk (\*) are organizations who are recognized by the immigration court in Los Angeles to provide pro bono services. This list is not exhaustive, please see Chart 2.

\*\* This is not an exhaustive list of all non-profit immigrant organizations in the Los Angeles county, these organizations were selected based on their visibility and reputation to provide services closest to East Los Angeles.

### CHART 1. ORGANIZATIONS PROVIDING IMMIGRATION SERVICES IN LOS ANGELES

ORGANIZATION	CONTACT INFORMATION	SERVICES
ACLU of Southern California	1313 W. 8th St. Los Angeles, CA 90017 Tel: 213-977-9500 Legal intake: 213-977-5253 <a href="https://www.aclusocal.org">https://www.aclusocal.org</a>	<b>Impact Litigation:</b> especially around unlawful imprisonment, discrimination, law enforcement abuses, due process rights
Asian Americans Advancing Justice (AAAJ)	1145 Wilshire Blvd., 2nd Floor Los Angeles, CA 90017 Tel: (213) 977-7500 <a href="http://advancingjustice-la.org">http://advancingjustice-la.org</a>	<b>Direct Legal Services:</b> Family Visa Petitions, Adjustment of Status Applications, Consular Visa Processing, Naturalization Services, DACA
Center for Human Rights and Constitutional Law (CHRCL)	256 S Occidental Blvd, Los Angeles, CA 90057 Tel: (213) 388-8693 <a href="http://www.centerforhumanrights.org">www.centerforhumanrights.org</a>	<b>Impact and Complex Litigation</b> relating to immigrants and refugees
Central American Resource Center (CARECEN)	2845 W. 7th St. Los Angeles, CA 90005 Tel: (213) 385-7800 x136 <a href="mailto:info@carecen-la.org">info@carecen-la.org</a>	<b>Direct Legal Services:</b> range of immigration services and assistance, not including removal defense
Centro Maravilla Service Center	4716 East Cesar E Chavez Avenue, Los Angeles, CA 90022 Tel: (323) 260-2804	<b>Free Legal Consultations</b> by local attorneys and non-profit organizations.
Coalition to Abolish Slavery and Trafficking (CAST)	5042 Wilshire Blvd. #586 Los Angeles CA 90036 Tel: (213) 365-1906 Fax: (213) 341-4439 email: <a href="mailto:info@castla.org">info@castla.org</a>	<b>Direct Legal Services:</b> representation in removal proceedings, advocacy to protect rights as victim witnesses and to obtain Continued Presence and Certification (U Visa), establishing eligibility for refugee benefits, filing T Visas
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)	2533 West 3rd Street, Suite 101 Los Angeles, California 90057 Tel: (213) 353-1333 <a href="http://www.chirla.org">http://www.chirla.org</a>	<b>Direct Legal Services:</b> DACA and citizenship, as well as advocacy
Community Lawyers, Inc.	1216 E Compton Blvd, Compton, CA 90221 Tel: (310) 635-8181 <a href="http://www.community-lawyers.org/">http://www.community-lawyers.org/</a>	<b>Free consultations and low-fee services:</b> affirmative immigration applications

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El Rescate*	1501 West 8th St. Suite 100 Los Angeles, CA 90017 Tel: (213) 387-3284 Fax: (213) 387-9189 <a href="http://www.elrescate.org/about-us2.html">http://www.elrescate.org/about-us2.html</a>	<b>Direct Legal Services:</b> affirmative immigration applications and assistance in removal proceedings
Esperanza Immigrant Rights Project*	1530 James M. Wood Blvd., P.O. Box 15095 Los Angeles, CA 90015 Tel: (213) 251-3505 Fax: (213) 487-0986 <a href="http://www.esperanza-la.org/en/">http://www.esperanza-la.org/en/</a>	<b>Direct Legal Services, Trainings and Advocacy:</b> Asylum, U Visa, SIJS, Cancellation of Removal, Adjustment of Status, Naturalization *Focuses on representing detained immigrants, recently released immigrants, and complex legal cases, particularly due to criminal, gang, or conflictive immigration history
Homeboy Industries	130 Bruno Street, Los Angeles, CA 90012 Tel: (323) 526-1254 <a href="http://www.homeboyindustries.org/">http://www.homeboyindustries.org/</a>	<b>Legal Consultations and referral</b>
Immigration Center for Women and Children (ICWC)	634 South Spring Street, Suite 727 Los Angeles, CA 90014 Tel: (213) 614-1165 Fax: (213) 624-1163 <a href="http://icwclaw.org">http://icwclaw.org</a>	<b>Direct Legal Services and low-fee services:</b> SIJS, T Visa, U Visa, VAWA, Probate Guardianships, DACA
Immigrant Defenders Law Center (ImmDef)*	634 S Spring St, Los Angeles, CA 90014 Tel: (213) 634-0999 <a href="http://www.immdef.org/">http://www.immdef.org/</a>	<b>Direct Legal Services, advocacy and trainings:</b> strong focus on unaccompanied minors and mentally incompetent adults
International Institute of Los Angeles (IILA)*	3845 Selig Pl, Los Angeles, CA 90031 Tel: (818) 988-1332 <a href="http://www.iilosangeles.org/">http://www.iilosangeles.org/</a>	<b>Direct Legal Services and assistance programs for immigrants:</b> immigration legal services, refugee resettlement and employment services for newly arrived refugees

International Rescue Committee (IRC)	625 North Maryland Avenue, Glendale, CA 91206 Tel: (818) 550-6220 <a href="http://www.rescue.org/us-program/us-los-angeles-ca">http://www.rescue.org/us-program/us-los-angeles-ca</a>	<b>Assistance programs for immigrants:</b> renewals for lawful permanent residents, citizenship application and classes, refugee travel documents, assistance to Central American minors. Assistance to newly arrived refugees
Kids In Need of Defense (KIND)*	350 S. Grand Ave., 32 <sup>nd</sup> Floor, Los Angeles, California 90071 Tel: (213) 892-2043	<b>Direct Legal Services, advocacy and trainings:</b> strong focus on unaccompanied minors and detained minors; filing of affirmative application and defense in removal proceedings
Korean Resource Center	3660 Wilshire Boulevard #408 Los Angeles, CA 90010 Tel: (323) 937-3718 Fax: (323) 937-3526 <a href="http://www.krcla.org/en/get-help">http://www.krcla.org/en/get-help</a>	<b>Direct Legal Services:</b> naturalization, DACA, AB540 consultation
Los Angeles County Bar Association (LACBA) Immigration Legal Assistance Program	300 North Los Angeles St, Rm 3107, Los Angeles, CA 90012 (213) 485-1873 <a href="https://www.lacba.org/give-back/immigration-legal-assistanceproject">https://www.lacba.org/give-back/immigration-legal-assistanceproject</a>	<b>Legal Consultations:</b> advice, consultation and forms completion assistance
Lambda Legal	4221 Wilshire Boulevard, Suite 280 Los Angeles, CA 90010-3512 Tel: (213) 382-7600 Fax: (213) 351-6050 <a href="http://www.lambdalegal.org">http://www.lambdalegal.org</a>	<b>Impact Litigation and Advocacy:</b> LGBT rights and rights of people with HIV, included in advocacy: immigration and Latino Outreach

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Legal Aid Foundation of Los Angeles (LAFLA) East Los Angeles Office*	5228 Whittier Blvd. Los Angeles, CA 90022 Tel: (213) 640-3883 Fax: (213) 640-3911 <a href="https://lafla.org">https://lafla.org</a>	<b>Direct Legal Services:</b> Asylum and Refugee Status, Unaccompanied Minors, Adjustment of Status (green card applications), Naturalization (citizenship), Family Reunification, Deportation Defense, Victims of Violence and Trafficking
Legal Aid Foundation of Los Angeles (LAFLA) South Los Angeles Office	7000 S. Broadway Los Angeles, CA 90003 Tel: (213) 640-3950 Fax: (213) 640-3988	(See above)
Los Angeles Center for Law and Justice	5301 Whittier Blvd., 4 <sup>th</sup> Floor Los Angeles, CA 90022 Tel: (323) 980-3500 <a href="http://www.laclj.org">http://www.laclj.org</a>	<b>Direct Legal Services:</b> VAWA, U Visa, T Visa, SIJS, Adjustment of Status for VAWA, U Visa, T Visa, SIJS applicants, DACA
Mexican American Legal Defense and Educational Fund (MALDEF)	634 S. Spring Street Los Angeles, CA 90014 Tel: (213) 629-2512 <a href="http://www.maldef.org">http://www.maldef.org</a>	<b>Impact Litigation and advocacy:</b> immigrant rights in a variety of sectors
Neighborhood Legal Services of Los Angeles (NLSLA)	9354 Telstar Ave, El Monte, CA 91731 Tel: 800-433-6251 <a href="http://www.nslsla.org">http://www.nslsla.org</a>	<b>Direct Legal Services:</b> assisting low-income immigrants in their applications for VAWA, U Visa, employment authorization cards, adjustment of status applications, family- based immigration petitions, preparation for hardship waivers
Public Counsel*	610 South Ardmore Avenue Los Angeles, CA 90005 Tel: (213) 385-2977 Fax: (213) 385-9089 By appointment only <a href="http://www.publiccounsel.org">http://www.publiccounsel.org</a>	<b>Direct Legal Services, Trainings and Advocacy:</b> Asylum, TVPRA, SIJS, VAWA, services for detained immigrants and unaccompanied minors

\* Non Profit Organization

\*\* Referral Service

\*\*\* Private Attorney

**List of Pro Bono Legal Service Providers**

Updated October 2016

<http://www.justice.gov/eoir/list-pro-bono-legal-service-providers>**Los Angeles Immigration Court**

<b>Los Angeles, California (page 1 of 2)</b>	
<b>Kids In Need of Defense (KIND)*</b> Los Angeles City Office c/o Chadbourne & Parke LLP 350 South Grand Ave., 32nd Floor Los Angeles, CA 90071 Tel: (213) 892-2071 or (213) 892-2031 (KIND serves children under age 18 only)	<b>Legal Aid Foundation of Los Angeles*</b> 5228 E. Whittier Blvd. Los Angeles, CA 90022 (213) 640-3881 (800) 399-4529, Toll Free
<b>El Rescate Legal Services*</b> 1501 West 8th St. Suite 100 Los Angeles, CA 90017 (213) 387-3284 • Accepts collect calls Mondays 1:00 to 5:00 p.m. • Will not represent criminal aliens.	<b>Public Counsel*</b> 610 South Ardmore Avenue Los Angeles, CA 90005 Tel: (213) 385-2977 ext 600 www.publiccounsel.org • Resources permitting, we will provide pro bono representation to asylum seekers, victims of crime including domestic violence and human trafficking.
<b>Immigrant Defenders Law Center*</b> 634 S. Spring St, 10th floor Los Angeles, CA 90014 Phone: (213) 634-0999 Fax: (213) 634-0999 info@immdef.org immdef.org • Unaccompanied minors only • Languages: Spanish	<b>International Institute of Los Angeles*</b> 3845 Selig Place Los Angeles, CA 90031 (323) 264-6217 or 14701 Friar St. Van Nuys, CA 91411 (818) 988-1332 or 1333 • Will not represent criminals. • May charge nominal fee. • Will represent alien in asylum.
<b>Esperanza Immigrant Rights Project*</b> Catholic Charities of Los Angeles 1530 James M Wood Blvd Los Angeles, CA 90015 Phone: (213) 251-3505 Fax: (213) 251-3505 esperanza-la.org • Mon-Fri 8:30am-5:30pm • Assist various forms of immigration relief, victims of crime • Languages: Spanish or Interpreter services • Serving counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, Kern, & Santa Barbara;	<b>Chabad Lubavich Russian Synagogue*</b> 7636 Santa Monica Blvd. Los Angeles, CA 90045 (323) 848-8805 or 848-8842