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Immigration Law

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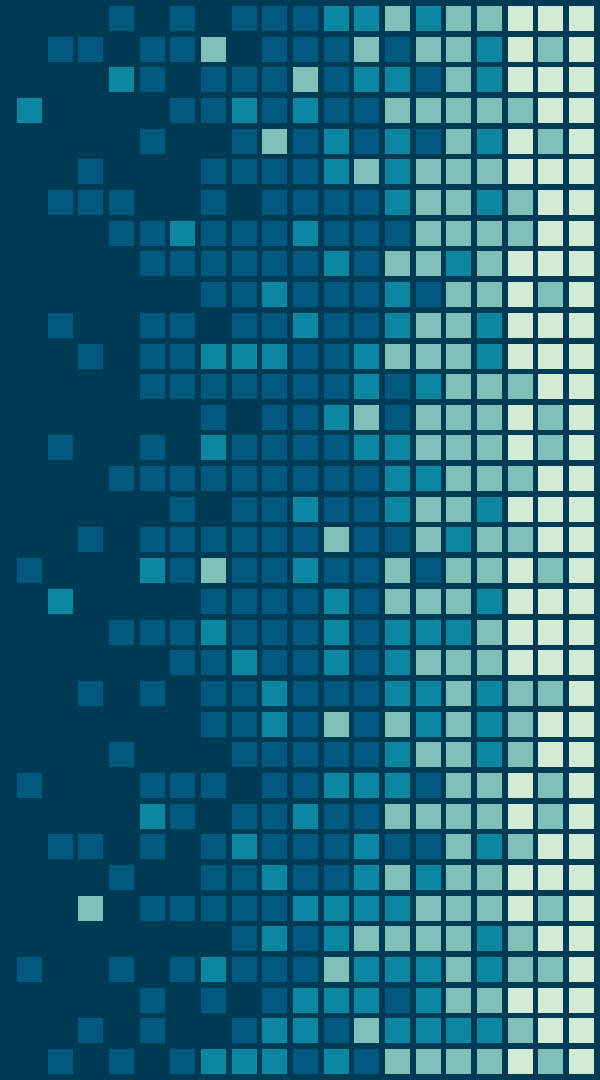
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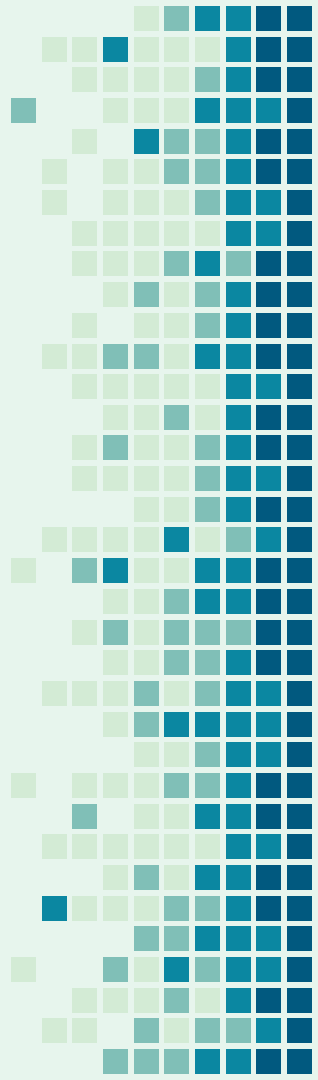
IMMIGRATION LAW

BY EMLYN AIR



BACKGROUND

- Immigration law is one of the most time consuming and emotionally exhausting fields in law (Levin, 2009)
 - Long work hours
 - Gaining client's trust
 - Ever-changing policies on gaining a visa in the U.S.
 - Traumatic stories from clients
 - Lower wages than corporate law fields

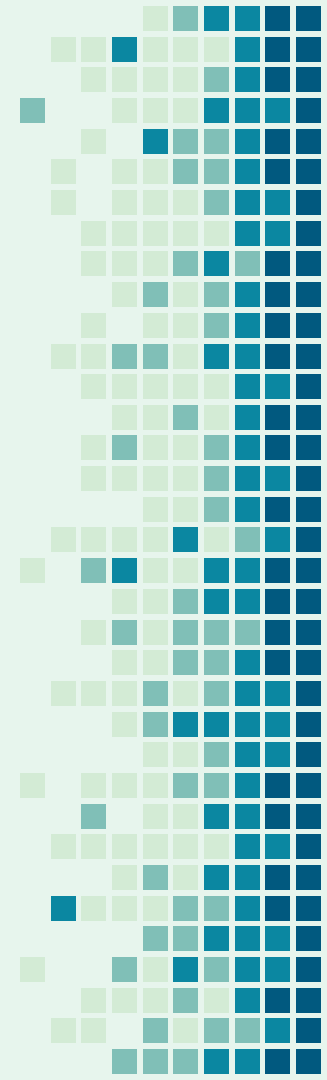


ETHICAL ISSUES

- “has become increasingly difficult for immigration lawyers to represent clients effectively without crossing ethical boundaries or committing a fraud upon the court system (Hays, 2015)
- Other issues can arise from assisting clientele
 - It can be difficult to not form attachments to clients
 - Divorce, sexual trauma, PTSD are experiences that lawyers cannot always assist their clients with resolution or recovery.
- Leaving cases/clients in bad shape
 - It can be difficult accepting they cannot help their client
 - Clients sometimes overshare and provide compromising information
- Visa policy changes can cause strain/loss
 - New policies tend to create issues for both the lawyer and client
 - Not much can be done to combat these changes except for learning to manage them

ISSUE OF BURNOUT

- Majority feel burnout at least once during their career
- Main cause of career changes among lawyers/paralegals
- Can stem from:
 - Stress
 - Workload
 - Emotion exhaustion
- “What she was describing to me wasn’t burnout.....What she was telling me sounded like trauma.” (Markham, 2020)



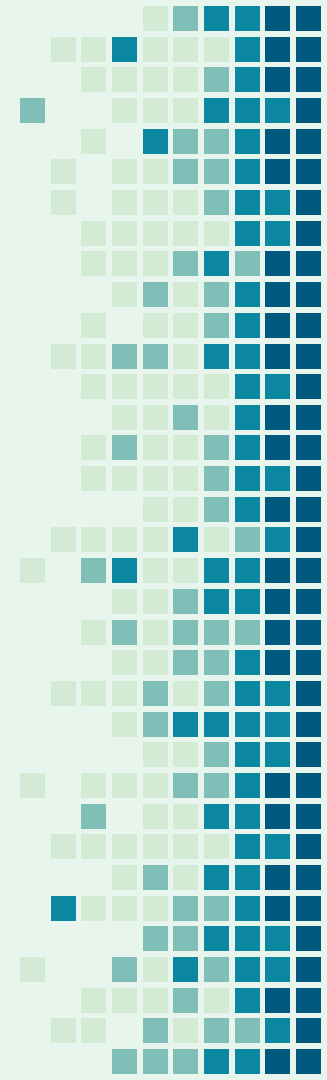
STUDY PROCEDURE/STRUCTURE



- Snowball sampling technique
- 2 interviews with immigration lawyers
 - One with 12 years of experience and one with 4 years
 - Both lawyers are in private law firms
- Asking a variety of questions within 60 min to understand more about topics such as:
 - Burn-out, stress, mental health, ethical challenges, COVID-19 impact, etc.

ANALYSIS OF FINDINGS

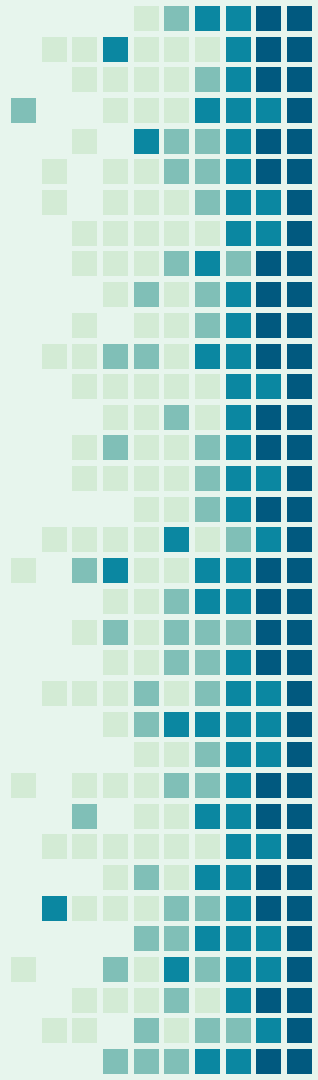
- Burn-out is and always will be a factor
- Secondhand trauma from hearing traumatic stories is extremely common
 - One lawyer described feeling like a social worker at times
- Empathy fatigue tends to emerge
- Mental health is important, but hard to manage
 - Amount of workload from multiple cases, long hours, and the explicit details of cases cause difficulties when handling mental health



“ I have clients who died because they couldn't take off work, they couldn't work from home, you know, like they're in industries that are essential, and they need to provide for their families, they kept working the entire time.

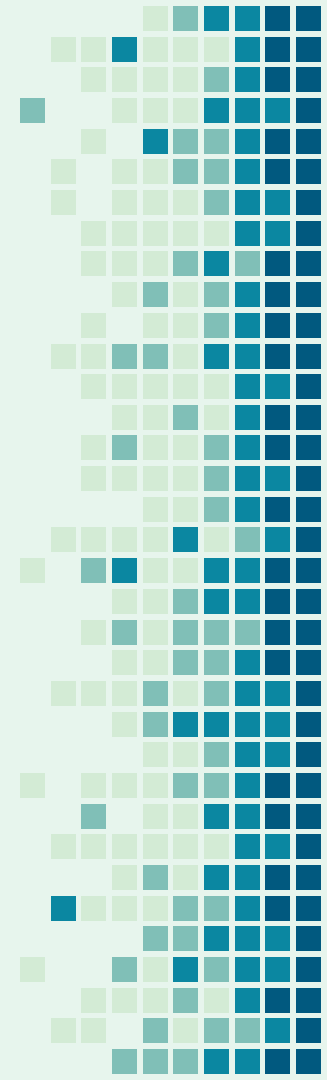
ANALYSIS OF FINDINGS CONT.

- COVID19 has provided difficulties for both parties
 - Technology and language barriers
 - Quarantining not always an option for clients
 - Process of getting a visa pushed back
- Policy changes during and after the Trump presidency
 - More stress was put onto cases
 - “what normally could have been like a 30 minute case turned into four hours of testimony, because government just wouldn't agree to anything at all.”



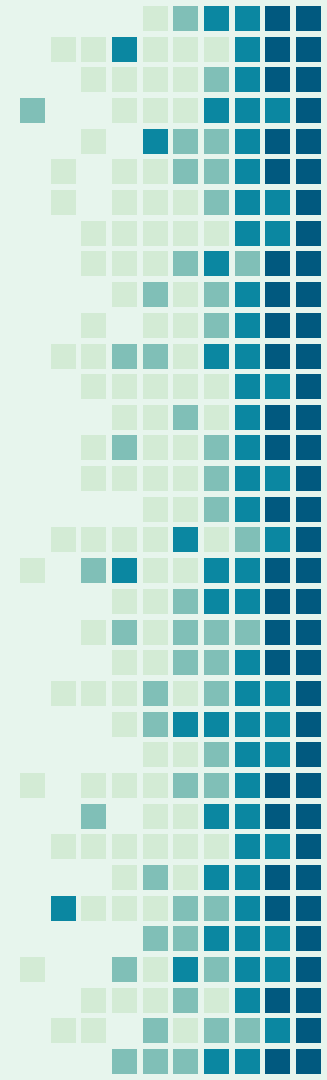
Recommendations from Lawyers

- Mental health is important to keep track of
 - Taking a step back
 - Seeking and accepting help
- Leave work at the workplace
 - Give yourself time between cases
 - Make time for yourself and family



CONCLUSION

- Consistent factors
 - Burn-out was the most common
 - Similar ethical issues were present
 - Policy changes
- Study showed that:
 - Not much change in immigration law from 1990s present
 - Effects of COVID19 is something most current immigration lawyers have never encountered



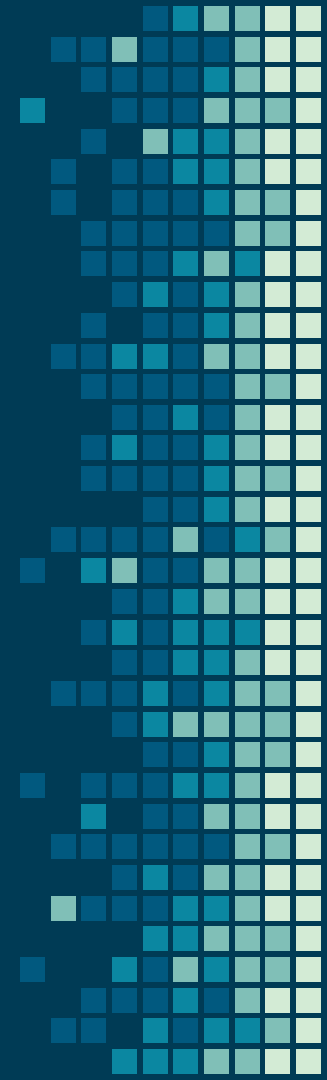
REFERENCES

- Barnes, J. (2003). The Lawyer-Client Relationship in Immigration Law. *Emory Law Journal* 52, 1215–1220.
- Braish, Z., & Kile-Maxwell, E. (2020). Immigration volunteers take on challenging opportunities. *Indiana Lawyer* 31(20), 9–16.
- Heys, E. (2015). Ethical Duties of Immigration Lawyers: The Difficult Balance between Serving Clients and Preventing Employment Fraud. *Georgetown Immigration Law Journal* 80(1), 143–162.
- Immigration Lawyers, Judges Deal With Extreme Burnout As Migration Crisis Continues. (2019). *All Things Considered*
- Kagan, M. (2020). 9. Dirty Immigration Lawyers. In *The Battle to Stay in America : Immigration's Hidden Front Line*. *University of Nevada Press*

REFERENCES

- Levin, L. C. (2009). Guardians at the Gate: The Backgrounds, Career Paths, and Professional Development of Private US Immigration Lawyers. *Law and Social Inquiry*, 34(2), 399–438.
- Motiey, K. (1991). Ethical Violations by Immigration Attorneys: Who Should Be Sanctioning. *Georgetown Journal of Legal Ethics*, 6(3), 675–696.
- Markham, L. (2020). No End in Sight: What happens when immigrant-rights advocates reach a breaking point? *Virginia Quarterly Review*, 96(1), 38–58.
- Ryo, E. (2018). Representing Immigrants: The Role of Lawyers in Immigration Bond Hearings. *Law & Society Review*, 52(2), 503–531.
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Questions?



Thank You!

