



Center for Justice Reform Clinic
Vermont Law and Graduate School
PO Box 1404 Elmwood Ave, Burlington, VT 05402
CJRclinic@vermontlaw.edu
(802) 831-1552

VERMONT POVERTY LAW FELLOWSHIP

Immigration in Vermont

Sixth Quarter Report: December 11, 2023 – March 8, 2024

I. Introduction

Maya’s Vermont Poverty Law Fellowship project focuses on expanding access to justice for noncitizen Vermonters through advocacy, projects, and direct services as part of the Center for Justice Reform Clinic (CJRC), formerly called Vermont Immigrant Assistance, a clinical program at Vermont Law and Graduate School.

Quarter 6 was another quarter full of individual representation. Several of Maya’s clients became eligible for work authorization or adjustment of status to permanent residence, several clients’ removal proceedings were terminated, and multiple youth clients received orders from Vermont state court judges rendering them eligible for Special Immigrant Juvenile Status. With the start of the Vermont state legislative session, Maya also spent a portion of her time on policy advocacy, supporting initiatives that would promote equitable access to education and housing in Vermont.

II. Community Outreach, Trainings, and Advocacy

Maya did not specifically provide any public-facing trainings during Quarter 6 as she focused on direct representation. However, with the departure of Jill Martin Diaz for Vermont Asylum Assistance Project, Maya has assisted in presenting or leading several classes for CJR Clinic students at Vermont Law and Graduate School, including providing mentorship and supervision on a number of cases and projects.

Maya also had the opportunity to spend two weeks of Quarter 6 at a program for immigration advocates in Oaxaca, where she studied and practiced Spanish, as well as learned about the migration journey that many individuals take to arrive in the United States.

III. Individual Legal Representation

Below is the total number of *active* cases that Maya served as counsel on during Quarter 6. Maya supervised and worked with Vermont Law students on seven of the matters counted below.

Matters Active in Quarter 6	Number
Asylum	4

VAWA/Crime Victim Immigration Relief	2
Special Immigrant Juveniles	21
Adjustment of Status	2
Naturalization	0
Application for Employment Authorization	6
Application for Travel Permit	1
Bond and Detained Work	2
Guardianship Petitions	5
Parentage Actions	2
Removal Defense*	16
Federal Litigation/Writs of Mandamus	1
Total Matters**	61
Number of Individual Clients	34

**Removal Defense includes other types of case in removal proceedings, recognizing cases in removal proceedings have unique requirements and additional hurdles.*

*** Some of these matters carry over from the previous Quarter but continue to require work due to the long-pending nature of immigration proceedings; some of these matters were filed or concluded during this Quarter; some will carry over into Quarter 7. The numbers above exclude a number of pending cases where Maya is counsel of record but that did not require any active attorney work during the entirety of Quarter 6.*

County	Number of clients
Addison	6
Bennington	0
Caledonia	0
Chittenden	15
Essex	0
Franklin	9
Grand Isle	1
Lamoille	0
Orange	0
Orleans	0
Rutland	0
Washington	0
Windham	3
Windsor	0

Age	Number of clients
Under 18	7
18-25	16

26-40	8
40-59	3
60+	0
Total	34

Case Snapshot

During this Quarter, Maya represented clients like “Victor” in their immigration proceedings. Victor is a long-term Vermont resident, farmworker, and advocate for the rights of other migrant farmworkers. Victor was placed in immigration removal proceedings after a traffic stop fueled by racial bias in Vermont nearly six years ago.

Since then, Victor has sought to have his proceedings terminated on the basis of his unlawful traffic stop, or other means if possible. Maya took on Victor’s case in the fall and began working with Victor to argue that evidence secured during his initial traffic stop should be suppressed. However, with a change in listed enforcement priorities for immigration under the Biden administration, a long-term resident without any criminal history like Victor no longer constituted a priority for immigration enforcement. Victor’s advocacy and other positive equities helped create a strong request for prosecutorial discretion. Although the attorney for Immigration and Customs Enforcement did not respond until the actual hearing, Maya and Victor were able to secure dismissal of his case. Now, Victor is able to continue his work and advocacy in his community in Vermont without the fear of the immediate threat of imminent deportation.

IV. Ongoing Projects

- Vermont Legislative Advocacy: Maya was heavily involved in legislative advocacy this quarter, working with Migrant Justice and other community partners to support H. 817, promoting tuition equity for all Vermonters regardless of their immigration status, and provisions to expand the Vermont Fair Housing and Public Accommodations Act to protect noncitizen Vermonters. Her work included helping revise the bill, writing up informational documents, and providing written testimony to the legislature.
- Federal Congressional Advocacy: Maya interfaced with Vermont’s federal congressional delegation during negotiations over a border bill. Maya is now planning to travel to D.C. with the American Immigration Lawyers Association later in March to meet with the Vermont delegation to discuss issues Vermont noncitizens face that require national solutions and advocacy.
- Community Clinics: As in Quarter 5, Maya helped organize community legal consultation days with the CJR Clinic, including an upcoming expungement clinic and an immigration clinic that served nine individuals, who are separate from the matters listed above. Maya supported and supervised several students in providing legal advice to asylum seekers and individuals in immigration removal proceedings.

V. Conclusion

Takeaways from Quarter 6

During Quarter 6, Maya not only filed a fair number of applications and petitions for relief, but also received approvals. However, the amount of time spent on these applications highlighted for Maya that things will always take more time than you anticipate, whether it be due to an hour-long line at the Post Office or issues with the quality of a passport photo.

Another takeaway from Quarter 6 is the strength and resilience of Vermont's noncitizen community at an individual and group level. Maya worked with many clients who are incredible self-advocates and were able to talk through their legal strategies, often due to the need to be familiar with the immigration system themselves as an undocumented person or person awaiting adjudication of an immigration application.

Plans for Quarter 7

As the Clinic has shrunk in attorney capacity, unfortunately, intake will also need to shrink, but Maya looks forward to continuing to work down her current case load and move along cases with existing clients, particularly continuing to help individuals eligible for Special Immigrant Juvenile Status complete the application process.

Maya also hopes to dedicate more time in Quarter 7 to building up materials for future attorneys interested in representing Special Immigrant Juveniles, including working on a guide, collecting best sample materials, and providing information at a CLE at the VBA's Mid-Year Meeting. Additionally, Maya looks forward to collaborating with the growing Vermont Asylum Assistance Project on events and Know Your Rights materials.

Finally, Maya plans to continue policy advocacy based on what she has learned about the needs of communities she serves over the past year and a half. Maya will travel to D.C. to advocate with the federal congressional offices later in March, and she plans to continue advocacy on education and housing legislative initiatives, as well as working to support a stricter Fair and Impartial Policing Policy in the state and generally expanding access to immigration legal defense in Vermont.