

Pro Bono for Immigrant Families at the South Texas Family Residential Center

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As the Firm's pro bono partner, I often have the privilege of looking beyond individual matters to see how we can make a difference on a wider scale. And at times I drop everything to immerse myself in a particularly important cause. For the week of June 17th, I am proud to report that I will be in Dilley, Texas representing women and children detainees for 12 hours a day at the country's largest immigration detention center.

Working with the [CARA Family Detention Project](#), I will be among a steady influx of volunteer lawyers joining in person to aid this cause. CARA began in response to the significant expansion of family detention on the border.

Before I explain what I intend to accomplish, some background. What distinguishes Dilley is that the facility detains women and children seeking asylum, and is thus at the center of a growing national controversy over the treatment of immigrants. Detaining immigrant families, including children, didn't start under the current administration but rather in 2014. The practice continues despite a [nationwide settlement agreement in 1997](#), resulting from a class action lawsuit, where the government agreed that children in immigration custody would be placed in the "least restrictive setting appropriate to age and any special needs," and would be released "without undue delay" to relatives or a licensed program willing to accept custody. It appears that the terms of this agreement are not being honored despite continued litigation.

The urgency of this story is seen in newspaper reports across the country. Children are increasingly being separated from their parents, many of whom are now being prosecuted for illegal entry into the U.S. Authorities are separating children from parents even when the parents are seeking asylum.

As for the legal claim of asylum, [the Attorney General recently announced](#) that going forward, “Generally, claims by aliens pertaining to domestic violence or gang violence perpetrated by non-governmental actors will not qualify for asylum.” That decision, which purports to overturn prior authority allowing such claims, will expedite deportations and put thousands of people in jeopardy.

Beyond helping as many people as I can with their legal claims, I intend to see for myself how immigrants — and especially children — are currently being treated at our southern border. From a policy standpoint, my goal is to learn more about workable alternatives to detention. And while immigration work already is a substantial portion of Proskauer’s pro bono docket, the information gained here may help us decide how best to deploy our lawyers.

Finally, there is a personal element to all of this. When I turn off I-35 toward the facility, I will be honoring my own immigrant grandparents who escaped dire, lawless conditions to find refuge in this country. The fundamental issue as I see it is how the U.S. can deal effectively with the pressing issue of immigration without compromising the core values our country was founded upon, including respect for the law and human dignity.

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- **William C. Silverman**

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