

CLEA Teaching Justice Webinar Series

Teaching Justice in the Context of Immigrant Rights

Presented by:

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Introduction

- Together, co-taught Immigrant Rights Clinic at UC Irvine School of Law 2013-2018
- 1-semester, 6 units
- Required clinic
- Advanced students
- Progressive student body
- Historically conservative context
- Not “teaching to the middle”

Aims of This Session

- Take apart our clinic seminar syllabus
- Describe the justice arc
- Drill down on a few classes
- Breakout to reflect on your own syllabi
- Reconvene to share strategies and challenges

IRC Syllabus at a Glance - Skills

- Introduction to IRC – Mission and Pedagogy
- Lawyer-Client Relationships
- Immigration Legal System History / Multiple Consciousness
- Introduction to Immigration Detention
- Immigration Consequences of Criminal Convictions and Forms of Relief from Removal
- Research Lab
- Client Interviewing and Counseling
- Working with Immigration and Criminal History Documents
- Working with Interpreters
- Post Conviction Relief
- Legal Services Scarcity and Case Selection
- Collaboration
- Law and Organizing / Group Representation
- Case Theory/Narrative Theory
- Trial Advocacy I and II
- Fact Evaluation
- Fact Investigation
- Ethics
- Immigration Policing
- Policy Framing / Media Advocacy
- "Counternarratives"
- Legal Drafting/Brief Writing
- Race, Power and Subordination in the Justice System
- Trauma Stewardship, "Winning" and "Losing," Sustainability and Professional Identity
- Rounds
- Case Transfer / Close-Out

IRC Syllabus at a Glance - Knowledge

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IRC Syllabus at a Glance - Justice

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IRC Seminar Class – **Lawyer-Client Relationships**

- Intentionality about relationship
- From Chen & Cummings, *The Public Interest Lawyer-Client Relationship* in *Public Interest Lawyering: A Contemporary Perspective* (2011)
 - Conventional
 - Cause
 - Client-centered
 - Community
- Mapping
- Retainer and MOU exercise

IRC Seminar Class – **Multiple Consciousness**

- Paired with Immigration Legal History
- Reading
 - Matsuda, *When the Quail First Calls: Multiple Consciousness as Jurisprudential Method* (1988)
- Freewrite
 - Identify a moment when you have felt tension between your feelings about what has been going on with immigration policy and your new role as a law student/future attorney? What would Matsuda have to say about that tension?

IRC Seminar Class – Race, Power and Subordination in the Justice System

- Court observation memo and fieldwork as the raw material
- Texts
 - Ngai, Haney-Lopez
 - Carbado
 - Bracey
 - Motomura
 - Spade
 - Luban & Crenshaw
- Themes
 - How to lawyer against subordination?

IRC Seminar Class – Trauma Stewardship, “Winning” and “Losing,” Sustainability and Professional Identity

- Engage with more affective dimensions of social justice practice
- Sustainability as a form of resistance
- Willingness to take “losing” cases and develop resiliency from them
- Seeing “loss” as a reflection of broader system failure
- Trauma stewardship
- Reflection memo or creative piece

IRC Seminar – Justice Arc

“Syncopation - the rhythmic accent on an off-beat; the heart of jazz; the counterpoint. . . .Stuart Hall was right. There is no English history without the co-constituted histories of Sri Lanka, Jamaica, and the other corners of the world where children interpret their dreams in a colonial tongue. Yet dream they do, and *it is in the contours of their dreams, their imaginations, their actions that new ways of knowing and being are possible*. Drawing from Amiri Baraka’s study of jazz and the blues, diaspora studies theorist Rinaldo Walcott critiques *the reification of jazz from a style of doing to a rigid form*. He writes, ‘jazz as noun cannot possibly alter America; as verb, possibilities exist.’ In the production of history, the counterpoint to hegemonic power beats on.”

-- Hilary Malson, UCLA Urban Planning,
<http://monumentlab.com/news/2018/11/25/contested-memory-part-i>

Developing critical counterpoint to the hegemony of formalistic legal practice

IRC Seminar – Challenges

- Demystification
- Tensions – time, student preferences, docket demands [institutional pressures]
- Measurement
- Iterative and evolving effort

Break-Out Discussion

- What are some of the “justice education” objectives you have for your clinic? In what ways are you seeking to push your students to think critically?
- Optimally, how else would you incorporate these objectives in your clinic seminar?
- What challenges are associated with trying to incorporate these objectives in a clinical setting and connecting them to the fieldwork, and what ideas do you have for trying to address or resolve these tensions?

Sharing Strategies and Challenges

1. Please type your small group takeaways into the chat box. Send the message to everyone so we can all see what each of the groups talked about.
2. If you'd like to ask a question or bring something from your small group discussion to the whole group at this time, please click the button on your screen that says "Raise Your Hand". If you'd like to respond to someone else's comment or ask a follow up question, click on the same button.



Thank You!