

Defend Asylum, Georgia Workshop Checklist: Claim Development

Workstation Prep - (3 minutes)

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| <p><input type="checkbox"/> Verify you have:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Your LawLab login information (i.e. your username and password) <input type="checkbox"/> A notepad and pen <input type="checkbox"/> A reliable internet connection <input type="checkbox"/> A phone | <p><input type="checkbox"/> Verify you have open on your computer:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Limited Legal Service Agreement <input type="checkbox"/> Zoom Video Conferencing |
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Consider Your Role - (5 minutes)

- You will be working over the phone with someone who is in removal proceedings in the Atlanta immigration court and is considering seeking asylum as a defense against removal. You will be helping them to explain their claims to asylum, that is, why they cannot return to their home country. The person you are speaking with has overcome many obstacles to get to where they are today, including the undeserved hostility of the US government. They will most likely continue their case without an attorney to represent them before the immigration court.
- Take a deep breath and meditate on patience and an uplifting kindness, for yourself and for the person you will work with today. Remind yourself that you are working with them, as partners. That today is just one step on their journey. That, when you finish working with them today, they will have a long journey ahead of them, and that their immigration case is just one aspect of that journey. Thank you for taking this time.

Review Law Lab Record - (5 minutes)

- Your orientation facilitator will share a link to a LawLab record with you. Click that link and log in to LawLab to view the record for the person you will be working with.
- You should see two columns. The column on the right is titled “Docket” and may contain blue, gold, and/or white fields. The column on the left is titled “Parties.”
- Click on the first name you see under “Parties.” If there is only one name under “Parties,” click on that name.
- Review the information currently recorded under “Parties” in LawLab. Note the respondent’s name and phone number and review family information, immigration history, information on past jobs/education/schooling and other sections that will help you to form guiding questions for the claim development interview (e.g. be sure to note if the person you are working with has family members who are deceased, or if they changed addresses multiple times in a short timespan)

Review This Checklist - (5 minutes)

- Before calling the respondent, review this entire checklist one more time. If you have any questions, please ask a workshop manager.
- Once you have reviewed this checklist and understand each step, click on the white pencil in the orange circle to edit the Party Profile.
- In the “Personal Details” tab, scroll down all the way to the bottom to the “Narrative” section. This is where you will take notes for your claim development interview. Please enter the date as well as your username. Note here any party information that you want to follow up on during the interview (e.g. frequent moves, multiple marriages)
- When you are ready, call the respondent using the phone number listed in their LawLab record. If the respondent does not respond, please let a workshop manager know.

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Introduction (20 minutes)

☐ Introduction

☐ Describe your role as volunteer

- ☐ *I am a volunteer with Law Lab, an organization that supports people seeking asylum. These workshops are meant to assist individuals in meeting court requirements while they seek legal representation. I am not your legal representative. Today, I'm here to help you fill out your asylum application. It is a long application and for that reason, we normally take two or three workshops to complete it. Law Lab has workshops every month. If you believe you must complete your application today, we can discuss that. Does that sound alright?*
- ☐ Soy voluntari@ con Law Lab, una organización que apoya a gente en busca de asilo. El propósito de estos talleres es asistirle a cumplir con los requerimientos de la corte mientras que ud busca un representante legal. Yo no soy su representante legal. Hoy día estoy aquí para ayudarle a llenar su aplicación de asilo. La aplicación es bastante larga, pues por eso, suele requerir dos o tres talleres para cumplirla. Tenemos talleres cada mes. Si cree que hay que completar la aplicación hoy, podemos considerarlo. Si no, enfocaremos en la primera sección por hoy. Le parece bien?

☐ Confirm the objectives of today's session

- ☐ *Today, we'll focus on the reasons you cannot return to the country where you have legal status and I'll be helping you to complete your asylum application.*
- ☐ Hoy día, enfocamos en las razones por las cuales no puede volver al país donde tiene estatus legal y le ayudare a llenar su aplicación de asilo.
- ☐ **For most people, this is a very difficult conversation. Make sure the person you are working with knows:**
 - ☐ **They can ask for a break**
 - ☐ **You know that this can be very hard**

☐ Describe this checklist

- ☐ *I have a checklist to make sure we don't forget to talk about anything important today. We'll go through our conversation in the order of this checklist. Before anything else, I want to confirm that we have your information correctly recorded, review a statement of understanding, and confirm that you know how to check when you have your next court date. Ok?*
- ☐ Tengo una lista de temas para que no olvidamos de hablar de nada importante hoy. Procederemos en este orden. Antes que nada, quiero confirmar que tenemos sus datos guardado correctamente, repasar una declaración de entendimiento, y confirmar que ud sabe cómo chequear cuando tiene su próxima audiencia de corte. Bien?

☐ Confirm eligibility for pro se services

- ☐ Confirm that the respondent is not currently represented
 - ☐ *If they are represented, PAUSE and inform workshop manager*

☐ Review limited legal service agreement

- ☐ Inform the respondent that you would like to read them the limited legal service agreement. Pause for questions after each numbered paragraph, and again at the end.
- ☐ **Sign that you have reviewed limited legal service agreement with the respondent**

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Claim Development Interview (90 minutes)

- ❑ **Confirm contact info in LawLab:**
 - ❑ Confirm name spelling, address, and phone number.
 - ❑ Ask if they have alternate phone numbers, an email address, or a facebook account where we can contact them.
- ❑ **Ask whether the proposed schedule for the day works:**
 - ❑ Let them know you are about to start asking them many questions, and that this will take about 1½ hours. All of the questions you will be asking are important for helping them to fill out their application.
 - ❑ If either of you needs to take a short break, you should feel free to say so.
 - ❑ After 1½ hours, you'll take a break for about 1 hour to organize your notes.
 - ❑ After the break, you'll call back to ask a few more questions and explain next steps.
- ❑ **Open** the "Parties" section again in LawLab. Scroll to the bottom of the "Personal Details" tab, to the "Narrative" field. Enter the date and your username. You will take notes in this section.
- ❑ **Begin Interview** with respondent. Try to open with questions about their childhood. For example: "Can you tell me about your childhood? Where were you born? Who lived with you? What was your home like?" Proceed chronologically insofar as possible.
 - ❑ Childhood
 - ❑ Early Family life
 - ❑ Teenage life
 - ❑ Livelihood
 - ❑ Adult life
 - ❑ Adult family life
 - ❑ Intimate and family relationships
 - ❑ Other comments:
- ❑ **Break:** After about 80 minutes, you will receive a 10-minute notice from the workshop manager. Find time in the next 10 minutes to tell your partner you both will have a chance to take a break here, and that you will work on organizing their narrative. They can expect a call back within an hour or so for follow-up questions.

Case Rounds (30 minutes)

- ❑ **Case Rounds**
 - ❑ Join the claim development team in the video conference
 - ❑ Share 2 to 5 minute summaries of personal narratives and claims identified thus far
 - ❑ Identify potential claims and follow up lines of inquiry
- ❑ **Recording individual claims**
 - ❑ Open the "Parties" section in Law Lab and click on the last tab, "Asylum Assistant." Take 15 to 30 minutes to transfer your narrative notes into the Asylum Assistant tab.
 - ❑ Take the time you need to transfer each claim from the narrative into Asylum Assistant as a separate claim module. The information under each claim will NOT transfer automatically to the I-589, so you can add or copy/paste as many relevant details as you like.
 - ❑ Remember to record both past harms and fear of future harms. Make sure to include all elements of each claim: a harm, a persecutor, and a motive. Take note of any missing information for follow-up.
 - ❑ When ready, please mute yourself, review your notes, and call back the person you are working with.

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Claim Development Consultation - Follow up (30-60 minutes)

- ❑ **Call back the person you are working with.** Ask if they are ready to answer some follow-up questions and review the information you've gathered thus far.
- ❑ **Ask any follow up questions.** Make sure that all the elements of the asylum claim are completed.
- ❑ **Confirm information.** Ask the person you are working with for permission to review the list of claims aloud. Ask the person you are working with to ensure that the facts of the harm, the persecutor, and the motive are accurate for each one.
 - ❑ It might be helpful to explain that you know the claims don't include all of the detail that they've shared with you - that you've taken extensive notes, but that, for the application, we don't want to put too much detail. Ask if they have experienced any additional harm or fear of harm that is not recorded in the claim.
- ❑ **Wrap up** - Thank your partner for participating.
 - ❑ Suggested script: Thank you for taking the time today to speak to me about your asylum claim. Aliya or Ariel will be in touch with you this week to check in. Your next step will be for someone to review the entire asylum application with you to ensure that all the information is completely accurate. Aliya and Ariel will work with you so you can sign the application and submit it.
 - ❑ Does this sound good? Do you have any questions for me now?
 - ❑ If they ask a question you do not know the answer to, you can say:
 - ❑ I'm actually not sure the answer to that but Aliya or Ariel, the managers of this project, will be in touch with you soon to help you consider questions you might have from today.