

# Court fights come at no cost

Undocumented youths without guardians get free help from top law firms

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**Houston law firms that have taken pro bono cases on behalf of juveniles at local immigration shelters who face deportation include:**

- Baker Botts
- Fulbright & Jaworski
- [Tindall & Foster](#)
- Bracewell & Giuliani
- Greer, Herz & Adams
- Baker & Hostetler
- Jones Day
- King & Spalding
- Quan, Burdette & Perez
- Akin Gump Strauss Hauer & Feld
- Greenberg Traurig
- Royston Rayzor

All 10 of the Central American teenagers — eight boys and two girls — were alone when they were arrested after crossing the rugged Texas-Mexico border. For now, they are in one of seven Houston-area immigration shelters for unaccompanied minors, waiting as government lawyers try to deport the youths.

And not one has a lawyer to defend them.

So on a recent afternoon, Maria Mitchell, an attorney for Catholic Charities immigration services in downtown Houston, began matching the children with lawyers from some of the city's most powerful law firms.

And in this case, money was not an object. These high-priced lawyers from firms such as Baker & Hostetler and Jones Day are working for free.

"The law is very complex, and not all of you will be able to stay here legally," Mitchell told the group of 10 teens in Spanish. "For those of you who can't stay, we still want to represent you in court and get you returned to your country the best way possible."

Next to Mitchell were five lawyers from top Houston law firms, who helped explain how the teens could qualify for a visa to remain in the U.S. Once the presentation ended, the lawyers arranged to meet later with the kids to work on their cases.

As security tightens on the Texas-Mexico border, Houston is seeing an influx of undocumented children at immigration shelters for juveniles, said Wafa Abdin, the supervising attorney for immigration services at Catholic Charities. Nationwide, the number of juveniles in government custody jumped from 7,746 in fiscal year 2006 to 8,212 in fiscal 2007, according to the U.S. Department of Health and Human Services. And last year, the majority — 5,039 of the 8,212 — were in custody in Texas.

Some of the thousands of children are fleeing notorious Central American street gangs and have scars to prove it. Others have been orphaned or neglected and left home to find relatives here, while others were exploited for labor — and sometimes sex — by human traffickers. Minors who can prove they were abandoned, neglected or abused can qualify for a special juvenile visa.

### **'Life or death' matter**

Mitchell, who coordinates pro bono services for Catholic Charities, said lawyers from a who's who of Houston legal firms are helping juveniles at the shelters. They include Baker Botts, Fulbright & Jaworski, [Tindall & Foster](#), Bracewell & Giuliani and Greer, Herz & Adams, along with several Houston attorneys who practice on their own.

The free counsel is crucial, because Catholic Charities is one of only three government-sanctioned nonprofits in Houston that can provide legal services to children at the immigrant shelters. And there are not enough staff attorneys at the nonprofits to go around.

Without pro bono services, the juveniles would not have legal representation in immigration court, since the government is not required to provide legal counsel. "And to many of these individuals, such as asylum seekers and unaccompanied minors, it could mean the difference between life or death," Abdin said.

The seven Houston juvenile immigration shelters maintain 246 beds that are constantly full. This year, Catholic Charities estimates they'll provide presentations on legal rights to 1,200 to 1,400 juvenile immigrants in Houston.

The cases involving the children often are legally complex and heartbreaking.

Melissa Hagan, an attorney with Jones Day, represents a young brother and sister who made the journey from Central America. Their parents died, and they traveled alone to Houston to live with a close relative.

"Without help from the legal community and help from Catholic Charities, it's not possible for them to navigate the courts," Hagan said of the children. "In my case, these children have integrated into American society, are English speaking, are part of a mainstream school and they have excellent grades.

"All indications are they will be good contributors to our society."

The siblings originally were in a shelter, but Hagan petitioned the court to allow the kids to be released to a family member in Houston.

### **A voice for the children**

Hagan has agreed to represent other immigrant children with moving stories. "Children who fall through the cracks and are here in this country through no fault of their own, and have no parents to protect them, are very compelling," she said.

Matthew Caligur, 43, of Baker Hostetler, represents a 17-year-old boy from Honduras who was detained in the Rio Grande Valley. He does not have family who can care for him back home.

"The number one need is these children need a voice," said Caligur, who is attempting to win a special juvenile visa for the boy.

"Regardless of what our immigration policy is, or what side of the political fence you find yourself on, we have individuals who have made it into this country, presumably to make a better life for themselves," he said. "And to the extent our law allows them to qualify for permanent residence or citizenship, these children deserve an opportunity to have their cases reviewed."

James de la Cruz, with the Office of Refugee Resettlement at Health and Human Services, said a notable difference between the U.S. and other countries is the right to due process here.

De la Cruz said even if the children can't win permission to stay in the U.S., the volunteer attorneys will have given them a fair chance.

"A lot of the kids don't stay — but if they go back, it's not because they weren't given due process," he said.