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“Stranded”: Asylum-Seeking in an Era of Humanitarian Decline¹

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ABSTRACT

Humanitarian immigration programs like political asylum are supposed to protect and support individuals who endure violence, persecution, or other extreme events in their countries of origin and flee to other nations. However, the socio-legal reception that the United States gives to potential asylees falls short of those aspirations. Drawing on the narratives of asylum holders derived through ethnography, qualitative interviews, and focus groups in Los Angeles, California, this paper depicts asylees’ convoluted routes to legal status opportunities and attorney assistance. The experiences of these individuals point to the need for more accessible information about U.S. legalization programs and representation options for newly arrived immigrants.

INTRODUCTION

Azzeza, a schoolteacher from Eritrea, was tortured and imprisoned for months for explaining menstruation to curious adolescent girls in defiance of government authorities. After her release from captivity, Azzeza left her two young children with a friend and fled the country¹, afraid for her life. She trekked across Africa, took a boat to Latin America, and traveled by train and on foot north through Mexico, where she attempted to cross the border into Texas. At that point, Azzeza was apprehended by Immigration and Customs Enforcement and detained. After passing a credible fear screening,² a sister in Los Angeles paid Azzeza’s bond and she was released. She went to Southern California before reporting to immigration court for her removal hearing several weeks later.

Having miraculously made it safely to Los Angeles, Azzeza was optimistic about her prospects for starting over in the United States, a place she associated with freedom, opportunity, and acceptance of



immigrants. She planned to attend school to learn English, get her high school equivalency degree, and pursue a nursing career. Meanwhile, she would find a job to save money for her children's transport to the country. Although her immigration hearing loomed over her, Azzeza recalled that, for the most part, she was not thinking about her legal permission to remain in the country. She assumed she could explain her situation to the judge, who would tell her how to resolve any issues so that she could stay. However, Azzeza's early experiences in American society opened her eyes to the importance of legal status for immigrants.

When I came here, I came directly to my sister's house, and I lived with my sister, and I wanted to start a class, get a job, and start my work. But [when I tried to enroll at] West L.A. College, they sa[id] to me, "If you haven't any residency, you can't take the class." Wow, it's hard in America. I tr[ie]d to take the G.E.D.³ test, and the teacher told me, "Oh, if you don't have [a] California I.D., you can't take [it]." Wow, American is very hard. I want[ed] to [look for] some jobs. The [employers] t[old] me, "If you don't have your work permit, you can't start a job." I don't have a work permit. Wow. Is this America? Everything is closed for me at first, because I must ask [for] asylum.

It was not until several months after her arrival that Azzeza became fully aware of the U.S. government's political asylum program, through which she could apply for her own legalization and the legal passage of her children. When she was apprehended at the border, she told immigration officers that she was scared to return to Eritrea because she had been tortured there. As a result, Azzeza was referred to an asylum officer for a credible fear interview. Notwithstanding that she completed and passed the evaluation, she described that her first few days in the United States were "confusing." The officer told her a few details about political asylum, but Azzeza's physical and emotional exhaustion from her long journey and her limited English skills prevented total

comprehension of the events of this stressful period. It was not until she met with a lawyer that she began to understand the asylum program.

The U.S. Congress passed the Refugee Act in 1980. Under this law, the State Department annually selects tens of thousands of refugees, many of them living abroad in camps run by the United Nations, and resettles them in the United States. The Act also provides a system through which people who flee to our shores can apply for asylum. Any foreign national who comes to the United States, with or without a visa, may seek protection. To win asylum, the individual must prove that the reason for fleeing his or her country is a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion⁴. Asylum holders may remain in the country and are authorized to work. They are also entitled to benefits that include employment assistance, a Social Security card, social services, and the ability to apply for the immigration of certain family members⁵.

Although *political asylum* is similar to *refugee status* and is often confused with it, the two programs are different in several ways. Importantly, while eligibility for each program hinges on the same set of past circumstances, refugees and asylees are welcomed to the United States very differently.⁶ Refugees receive more resources than asylees before and after their arrival, and they retain access to aid for a more sustained period of time⁷. For instance, refugees receive cultural orientation to the United States and help with their overseas travel. They are also entitled to medical and cash assistance in the United States.⁸

No such formal orientation is offered to potential asylees upon their arrival in the United States, regardless of immigration status or country of origin. In part, this is because some enter the United States without any immigration status after escaping detection at the border. The U.S. government is unaware of their presence until they apply for asylum, making a coordinated orientation targeted to this group of individuals practically

challenging to administer. Other asylum-seekers enter the United States with immigration status, such as a tourist or student visa; the government has no way of knowing these individuals intend to seek asylum after arrival and so cannot provide cultural or socio-legal settlement assistance tailored to their specific circumstances. Others, like Azzeza, arrive without immigration status and are immediately apprehended; knowing little or nothing about the political asylum program, they may nevertheless voice a fear of returning to their home countries and undergo credible fear interviews without fully comprehending what is happening.

Political asylum, a form of immigration legal status granted on a humanitarian basis, is supposed to protect and support individuals who endure violence, persecution, or other extreme events in their countries of origin and escape to other nations. However, the current socio-legal reception that the United States gives to potential asylees falls short of those aspirations. Potential U.S. asylees face convoluted routes to legal standing and attorney assistance. The experiences of Azzeza and others during their initial months and years in the country point to the need for more accessible information about U.S. legalization programs and legal representation options for newly arrived immigrants.

DATA AND METHODS

This paper draws on the personal narratives of asylum holders derived through a participant-observation ethnography, qualitative interviews, and focus groups in Los Angeles, California. From January 2009 to December 2011, I volunteered weekly as a law clerk in the immigration practice of Equal Justice of Los Angeles⁹ (“Equal Justice” or “EJLA”), a legal nonprofit organization in Los Angeles. I assisted with the legal cases of individuals applying for humanitarian forms of U.S. immigration status including political asylum and related family petitions, helping interview clients in English and Spanish in order to prepare affidavits, cover letters, and government forms. I aided male and female adults and youth who emigrated from countries in Africa, Asia, Latin America,

and the Middle East. My ethnographic research, which occurred simultaneously with my volunteer work, focused on the challenges of preparing successful legalization petitions for applicants and attorneys. This paper includes ethnographic findings about how asylees learned of the political asylum program and their relationships with U.S. immigration lawyers and other advocates while applying for asylum.

In conjunction with my ethnographic research, I interviewed 11 asylee clients of Equal Justice in 2010 and 2011. The group of interviewees included six women and five men; five were from African countries, three from Asian countries, and three from Latin American countries. These in-depth, semi-structured interviews lasted between 30 minutes and two hours and covered five core topics: how immigrants found out about political asylum, how they located legal aid, the “easy” and “difficult” aspects of petitioning for asylum and other forms of relief, how obtaining legal status affected their lives, and whether they intended to pursue additional legal standings. The interviewees also raised other topics, including their migration histories, family composition, the legal standing of family members, their educational and work experience in their countries of origin and the United States, and physical and mental health. Eight interviews were conducted in English and three in Spanish. The interviews helped elucidate instances I had observed as a law clerk and ethnographic researcher about asylees’ legalization trajectories, and I include select comments in the paper for this purpose as well.

I also incorporate to the paper findings from four focus groups I conducted in 2011 with 33 current and former asylee clients of Equal Justice. Focus groups are facilitated group discussions using scripted yet open-ended questions with a largely homogenous population of interest. Participants in focus groups need not be homogenous in the sense that they are alike across all or multiple ascriptive characteristics or life experiences, but they should share a baseline similarity such that questions may be asked that apply to all of them in relevant ways.¹⁰

In the case of these focus groups, all participants had participated in a new Equal Justice project specifically for torture survivors that provided legal as well as “case management” services, including assistance applying for Social Security cards, California identification documents and driver’s licenses; searching for jobs, housing, and English as a Second Language courses; and connecting to other service providers like psychiatrists. In turn, all participants had endured torture in their countries of origin and all but one had received political asylum in the United States. Many also reported that they had gone on to become legal permanent residents or naturalized citizens.

The purpose of the focus groups was to assess the quality of project services for torture survivors, including their long-term impact on participants’ lives in the United States¹¹. Equal Justice lawyers recruited participants, and I designed, conducted, and analyzed data from the focus groups. I conducted three focus groups in English and one in Spanish. Each focus group lasted about one-and-a-half hours and participants were offered \$20.00 as compensation. Participants included female and male adults from Africa (n = 17), Asia (n = 1), the Caribbean (n = 1), Central and South America (n = 7), and the Middle East (n = 7)¹². I asked eight core questions during the focus groups that spanned three key themes: access to legal and social services; impact of EJLA work; and barriers to provision of services. Participants also completed brief questionnaires gathering demographic data and information on services received at EJLA. This paper includes participants’ comments on how they learned about the asylum program and located legal assistance.

I analyzed ethnographic fieldnotes and interview and focus group transcripts in a modified grounded theory and analytical induction tradition,¹³ systematically coding material in dialogue with salient themes in the social science and legal literatures on immigration, legalization, and access to justice. I began analysis of ethnographic fieldnotes early in the project (2009) and verified the emerging coding scheme with later ethnographic

and interview data as they were gathered. This helped to ensure that my analysis captured the full spectrum of empirical manifestations. After ethnographic and interview data collection were complete (2012), I undertook additional iterative rounds of coding and memo writing to sharpen analytical themes and identify variation.¹⁴ These analyses culminated in my dissertation.¹⁵ The focus group data was not included in my dissertation. I analyzed it separately in 2011, using grounded theory methods and qualitative data coding, in order to prepare an internal, impact evaluation for Equal Justice. I revisited my fieldnotes, the interview data, and the focus group data in 2016 to write this paper. By returning to the phenomena I identified in my initial coding of each data source, making efforts to defamiliarize myself with earlier ideas, and imagining alternative casing for data, I utilized abductive analysis techniques.¹⁶

All components of this research project received Institutional Review Board approval.

DISCUSSION AND ANALYSIS

Immigrants’ perceptions of the law and of legal status vary.¹⁷ Their “legal consciousness” also shifts over time as they interact with immigration officials, legal services providers, and lay people.¹⁸ For example, as in Azzeza’s case, some immigrant newcomers are unaware of the socioeconomic problems a lack of legal standing can pose to their incorporation and mobility in the United States. They expect that the United States, a politically stable country with humanitarian policies and a robust social welfare infrastructure, will accommodate their presence and pursuit of better lives. They become distraught when they realize—as Azzeza did—that their dreams are in jeopardy because of unstable legal status (see, e.g., Gonzales book). Other newly arrived immigrants, as in Habtom’s case below, understand the importance of getting their legal “paper[s]” in order as soon as possible.¹⁹ They know that legal standing is a gateway to desirable social opportunities and protections in the United States, and appreciate that having stable legal status will enhance their psychological well-being.

Habtom, 25–44, Eritrea, legal permanent resident (former asylum holder)²⁰:

In this place . . . you have to have a paper. You have to have legal [status] to do anything. I believe if you don't have this paper, or if you are not a resident . . . you cannot do anything.

Roberto, 45–64, Colombia, legal permanent resident (former asylum holder):

Of all of the things that I was scared of most [when I arrived in the United States], it was going around without papers here.

Lucia, 45–64, Peru, US citizen (former asylum holder):

Among the things that one wants upon arriving here, first it's to have your documents. . . . Once you have your documents, the language [comes], you [gain] your work capacity. . . . One can start to unwind in the city, in everything . . . and after one can think of other things, [like] housing.

Even if immigrants immediately grasp the value of acquiring US legal status and would like to regularize their standing, many do not know how to do so, including what opportunities for which they could qualify or how to apply. Fear of deportation—by exposing themselves to government authorities who ultimately reject their legalization petitions—is a related inhibitor to immigrants' legal claims making.²¹ In turn, financial issues can prevent immigrants from pursuing legal assistance, since many are unaware that free or low-cost legal aid may be available. For potential asylees, the trauma associated with the circumstances from which they escaped can also impair help-seeking behavior.²²

Valeria, 25–44, Colombia, asylum holder:

I arrived here two years ago. . . . I didn't have information about who to turn to and I had just as many social problems as those stemming from why I came here, and also economic ones because starting the process was expensive. . . . It's difficult to find the information,

and [also] to be able to take the step that one needs to take [once one has the information], both because of money reasons and because of personal reasons.

Lucia, 45–64, Peru, US citizen (former asylum holder):

I arrived here in 1994, and really because of fear I didn't look for help because I came hiding myself from the Shining Path [group] from my country. A few years went by, my oldest daughter arrived, but she didn't get the visa and she came through Tijuana. Then she was arrested by Immigration. Seeing the situation that I found myself in, out of desperation I went to a particular immigration lawyer, paying the money for the consultation and everything.

Immigrants who know about the political asylum program and believe they may be eligible for it remain in a precarious position vis-à-vis the law. The uncoordinated reception that the US government provides to immigrants about legalization and social opportunities often leads migrants to rely on family members, friends, or others in their co-ethnic communities for information.²³ This process can certainly bring about positive outcomes, but information about immigration drawn from informal social networks of lay people can be inaccurate or misconstrued. It is common for family and friends to refer newly arrived immigrants to lawyers they know personally, or to individuals whom they believe are lawyers but are not. This can create problems for people with potential asylum claims.

Rodrigo, a civil engineer from Colombia, fled his country in 2008 after receiving repeated death threats from members of an antigovernment guerrilla because of work he had done with the government. When he arrived in Los Angeles, a cousin introduced Rodrigo to someone who presented himself as an immigration lawyer, but who was actually a *notario*²⁴ and unauthorized to practice law in the United States. While non-lawyers may assist individuals in their own completion of asylum and other immigration

forms, the complexities of immigration law often cause non-experts—including those pretending to be lawyers and lawyers who do not specialize in immigration law—to err in their advice. Petition mistakes can prevent asylum approvals. As Rodrigo articulated,

When he [the notario] saw one of the documents that was sent to me by the guerrilla, he told me, “With the document you have and the others, in this country they can give you the opportunity of political asylum.” [But] all he really did was lie to me and cause me problems. I had just arrived here, [and] I didn’t know there were people who would do something like this. One of the mistakes made was that I didn’t include my wife on the political asylum application. . . . I was going to get help from this great country like school and all these things, but due to [the notario’s] lack of knowledge, time went by and I lost these benefits. I also lost a lot of money.

After surviving traumatic ordeals in their countries of origin, many asylum seekers reach the United States with little money, limited or no English language skills, and scant knowledge about where or whom to turn to for help. While some immigrants wind up in the hands of unscrupulous *notarios*, others locate bona fide lawyers who have the technical wherewithal to assist immigrants in the complex asylum application process. Unfortunately, some of them exploit immigrants’ naivety and legal, social, and psychological vulnerability. Frances, a journalist from Sierra Leone whose advocacy against genital mutilation led to government-supported torture and death threats, described her initial experiences with lawyers in the United States.

I started [my asylum case at] a legal organization [in Northern California]. [At first] they were not charging me for anything. But when it [came time to pick up] my status [from them], [they told me that] I had to pay [them] a thousand and

some hundred dollars to get [it at their office]. My second experience was with another foundation. I was with them, I applied for food stamps [and] cash aid, [and] they were buying me clothes. They [even] sent me to see a new school, all that. But later on, there were problems because they wanted to use my story . . . to make money. [T]hey introduced me to several organizations . . . and I spoke briefly about my story. Then all these media people started running after me. [B]ecause my story was pathetic, [people] started to give [the organizations] money. . . . [A]t first they raised my hope that they would give me some of the money to help me bring my sister [from Sierra Leone], because now she too is [dealing with] the same thing [as I did]. But they didn’t.

Not all asylees experience the same challenges as Rodrigo or Frances when trying to apply for asylum. Azzeza, for example, found a good lawyer who successfully navigated her case to approval on the first try. As she explained,

[After] I paid [my] bond [to be released from ICE detention], I came here [Los Angeles]. After that, my sister asked some people what to do, because I didn’t know what to do. Some people gave her the phone [number] of [the] public defender, and she called them. At first they did an interview, then they saw my papers, and they accepted me. I did everything what they told me, and then I got my paper.

As the above accounts suggest, grants or denials of relief under the political asylum status quo can depend heavily on random chance, independent of migrants’ qualifying experiences in their countries of origin.²⁵ This kind of jeopardous justice does not reflect the humanitarian ideals of the asylum program.

The twists and turns of asylees’ paths to legal and social services convey the importance of quality, affordable forms of representation for

immigrants seeking victim-based legal relief. Unfortunately, many asylum seekers do not have access to this sort of assistance, since the United States does not guarantee asylum seekers the help of a lawyer.²⁶ Given the complexities of the US asylum system, this constitutes a significant barrier to access to justice. A recent national study found that fewer than 40 percent of immigrants in deportation court proceedings were represented by an attorney in cases decided on the merits.²⁷ The same study found that approximately 86 percent of immigrants in detention facilities were without representation. Lack of attorney representation has dire consequences for immigrants, as illustrated by another study finding that asylum seekers without lawyers were almost five times less likely to win in immigration court than those with representation.²⁸

The representation gap in asylum and other immigration legal cases has received national attention of late. Considering the extremely high stakes involved, this is a sign of progress. The consequences of deportation can be just as, if not more, devastating for immigrants and their families as criminal conviction.²⁹ Asylum seekers can face detention, torture, or even death if forced to return to their countries of origin. However, unlike indigent criminal defendants, poor asylum seekers do not have a constitutionally recognized right to government-appointed legal counsel. To make matters worse, the availability of free and low-cost legal aid is rapidly diminishing in the United States.³⁰ The Trump Administration also seems intent on curtailing humanitarian immigration protections.³¹

In turn, access to lawyers or other legal aid may be insufficient to deliver justice to asylum seekers if advocates are unequipped to manage the distinct demands of asylum cases. Even legally competent attorneys may be ill prepared to handle asylum seekers' cases if they are unfamiliar with the complex psychological dynamics of many asylees' situations. Legal scholars and empirical researchers have documented the emotional challenges for asylum seekers when preparing their applications, as they remember and recount traumatic

experiences of violence and persecution. As a result, some advocates have called for "holistic" asylum representation that incorporates mental health services, arguing that the aid of psychologists and psychiatrists is critical for asylum seekers to mount the most persuasive cases possible.³²

Traumatic experiences in their countries of origin and an inadequate orientation to U.S. law and society can prevent individuals from pursuing asylum protection altogether. At the very least, these circumstances may delay individuals' pursuit of assistance, jeopardizing their wellbeing and their eligibility for the relief.³³ Focus group participants recounted their personal struggles to apply for asylum.

David, 25–44, Uganda, asylum holder:
My experiences are horrible. I'd been arrested numerous times, tortured, beaten, until I finally managed to escape. So many challenges along the way. So when you come over here, you say, "Oh my, at least I'm going to get some relief." Then you get over here, [and there are] new challenges altogether. You know, you can't even work, can't even feed yourself. You can't give too much information to people about home and all that, and you can't go back. It's really, really difficult. . . . [Many] people just give up. They're on the streets. They have no help. . . . [T]hey couldn't get anywhere ahead, you know, they are stranded. . . . So, I did my best and when I got in touch with the assistance that they³⁴ gave me, it's really impacting my life very positive[ly]. [Now] I can work legally. . . . I have several jobs, part-time here and there, and I'm not scared of being arrested. I'm legal in the United States and I have documentation.

Joseph, 45–64, Ethiopia, legal permanent resident:
In Ethiopia, my sister and I were trying to overthrow the bourgeois democratic government and avoid communism. And repeatedly three times I ended up as a suspect, and I was going to be killed.

They kept breaking into my place and searching [for me] always. . . . When I got here [United States], I was in San Pedro Detention Center. I didn't want to get help from the attorneys that were coming. They were trying to help me to have rights, telling me, "You are not supposed to be in [this] detention center. [We want to help] take you out from here. Let us help you. We are getting nothing from you, [so] let us help you." But [for me] it [felt] dangerous to open [myself]. I [felt like I would be] a suspect for life. From the church also, they came once a week to help us, but I could not trust anyone. I could not trust the American government. They may kill me. They may deport me. [The attorneys told me] "But you have rights; we are trying to help you legally." I avoided them like four or five times, but finally I signed. That's how I met Equal Justice. And they introduced me to Dr. Lopez [a psychologist from a mental health organization] and I got X-rays [to demonstrate my injuries from torture in Ethiopia], and they accompanied me to court.

These narratives suggest that access to justice for this population often requires more than legal assistance alone. Asylum seekers may need counseling and support from mental health professionals to feel comfortable enough to describe their experiences to lawyers and immigration officers. Language barriers and cross-cultural differences can further complicate this process, as can a limited understanding of U.S. law and its protections.

CONCLUSION

Meeting the needs of the asylum-seeking population in the United States is difficult but not impossible. Arguably, the humanitarian mission of the political asylum program demands that a certain level of assistance and care be devoted to orienting potential asylum seekers to the availability of legalization opportunities in the country and to connecting them to competent and affordable

aid providers, including legal and mental health professionals.

Beyond the realm of asylum, similar dynamics play out in the legalization trajectories of other immigrant groups. Immigration law is notoriously tricky for laypeople and legal experts. Not surprisingly, immigrants' understanding of legalization opportunities is often inaccurate. Yet locating reputable, economical legal advice can be difficult. In turn, many immigrants other than those who qualify for asylum have undergone harrowing experiences abroad and in the United States. They too struggle to share their stories with attorneys and immigration officials. Therefore, the challenges of Azzeza, Rodrigo, Frances, and the other asylees discussed here are realities for myriad U.S. immigrants.

ENDNOTES

- 1 This was no simple task for Azzeza, as Eritrea is one of a handful of countries in the world that requires an exit visa to leave. See <https://travel.state.gov/content/passports/en/country/eritrea.html> (accessed March 4, 2017).
- 2 An arriving immigrant without authorization to enter the United States who expresses a fear of returning to his or her country of origin because of persecution or torture and an interest in applying for asylum is supposed to be interviewed by an asylum officer before being deported. If the officer determines that the individual's fear is "credible," he or she may seek asylum before an immigration judge during a subsequent removal hearing. See <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/questions-answers-credible-fear-screening> (accessed May 12, 2016).
- 3 The "G.E.D.," or General Educational Development test, is the high school equivalency exam in the United States.
- 4 8 U.S.C. § 1158 (2012). See also <https://www.uscis.gov/tools/glossary/asylee> (accessed June 21, 2017).
- 5 See <http://www.uscis.gov/humanitarian/refugees-asylum> (accessed December 30, 2015).
- 6 See, e.g., Elias 2016; Hamlin 2014.
- 7 This is not to say that the refugee experience is at all easy. In fact, the refugee selection process is very rigorous and lengthy. See <https://www.state.gov/j/prm/ra/admissions/index.htm> (accessed February 4, 2017).
- 8 See <http://www.uscis.gov/humanitarian/refugees-asylum/refugees> (accessed December 30, 2015).
- 9 Equal Justice of Los Angeles is a pseudonym, used to protect the confidentiality of the organization, its employees, and its clients.
- 10 Krueger and Casey 2009; Morgan 1997.
- 11 I was hired by Equal Justice to conduct these focus groups in order to fulfill the terms of an external grant. The organization also hoped to use the focus group findings to appeal to future funders and other supporters of its work.
- 12 Participants' specific countries of origin included Cameroon (n = 7), Colombia (n = 4), Palestine (n = 3), Eritrea (n = 2), Guatemala (n = 2), Iraq (n = 2), Kenya (n = 2), Bangladesh (n = 1), Cote d'Ivoire (n = 1), Cuba (n = 1), Ethiopia (n = 1), Jordan (n = 1), Lebanon (n = 1), Peru (n = 1), Sierra Leone (n = 1), Sudan (n = 1), Togo (n = 1), and Uganda (n = 1).
- 13 Charmaz 2014; Corbin and Strauss 2014.
- 14 Charmaz 1983.
- 15 Lakhani 2013.
- 16 Timmermans and Tavory 2012.
- 17 Abrego 2011; Abrego 2013.
- 18 Coutin 2000; Hernandez 2010; Menjivar and Lakhani 2016; Merry 1990.
- 19 See De Genova 2002; Menjivar 2006, 2011.
- 20 The quotes in the paper formatted in this way are from focus group participants. In follow-up questionnaires, I collected data on participants' age (in ranges) and country of origin, and I include the information for context. Some participants also shared their current legal status during focus groups, and,

where available, I include it with quotes.

21 Abrego 2011; Menjívar and Abrego 2012.

22 Kenney and Schrag 2008.

23 Curran and Rivero-Fuentes 2003; Hagan 1998; Menjívar 2000; Tilly 1998; Waldinger and Lichter 2003.

24 A notario, shorthand for notario público, is a Spanish language term for “notary public.” In the United States, notarios are nonlawyers who engage in the unauthorized practice of law. While a notary public in the United States is authorized to serve the public as an impartial witness in executing various fraud-deterrent acts related to the signing of important documents, a notary public in many Latin American countries refers to an individual who has received the equivalent of a law license and who is authorized to represent others before the government. As a result, Latin American immigrants can be deceived into believing that notarios in the United States have the authority and skills to provide legal advice. See, e.g., http://www.americanbar.org/groups/public_services/immigration/projects_initiatives/fightnotariofraud.html and <https://www.nationalnotary.org/knowledge-center/about-notaries> (accessed May 17, 2016).

25 Ramji-Nogales, Schoenholtz, and Schrag 2009.

26 Because immigration proceedings in the United States are considered civil, not criminal, in nature, asylum seekers facing removal from the country do not have the same constitutional protections as defendants in criminal proceedings. This includes the right to appointed counsel. See, e.g., Golash-Boza 2012.

27 Eagly and Shafer 2015.

28 TRAC 2010.

29 See, e.g., Ardalan 2015; Golash-Boza 2015; Kanstroom and Lykes 2015; Markowitz 2011; Mills, Echemendia, and Yale-Loehr 2009.

30 See, e.g., Heeren 2011.

31 See, e.g., <http://www.politico.com/story/2017/04/28/trump-immigration-crackdown-237719>; <http://hhi.harvard.edu/content/trump-administration%E2%80%99s-immigration-and-refugee-order-betrays-humanitarian-values-and> (accessed June 21, 2017).

32 See, e.g., See, e.g., Ardalan 2015; Einhorn and Berthold 2015; Katzmann 2008; McKeown and McLeod 2009; Meffert et al. 2010; NYIRS 2012.

33 Individuals must apply for political within one year of arrival to the United States. See <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/questions-and-answers-asylum-eligibility-and-applications> (accessed May 17, 2016). See also, e.g., Schrag et al. 2010.

34 David is referring to the legal and case management assistance he received at Equal Justice of Los Angeles (“Equal Justice”), a nonprofit legal organization in Los Angeles, California where I conducted most of my research with asylum seekers and holders.

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