

As an undergraduate Liman Fellow, I worked as a legal intern for the American Civil Liberties Union of Northern California. The legal department of the American Civil Liberties Union, also known as the ACLU, works to protect the rights of people under U.S. jurisdiction by litigating cases that raise to new constitutional issues to classes of people. The ACLU may take on issues regarding laws or policies that affect rights such as free speech or due process. During the time that I worked there, I conducted research regarding conditions for ICE (Immigration, Customs, and Enforcement) detainees held in jails in the northern district of California. In particular we were focusing on access to counsel for those held in immigration detention.

As an intern in the legal department I did research, analyzed data, summarized the responses to public records requests, wrote memorandums, contacted potential clients, and corresponded with class members. The Liman Fellow that works for the ACLU of Northern California, Jenny Zhao, oversaw my work and reviewed my finished projects. During most of the time that I worked in the ACLU office I helped Jenny conduct research for a class action lawsuit regarding detention conditions for immigrant detainees in Northern California. Throughout the experience Jenny became a mentor to me; I appreciated this support, and I think the Liman program should connect Liman undergraduates, graduates, and law fellows within geographic areas. The program could distribute a list of Liman fellows or previous Liman Fellows in each area and encourage them to meet up a few times during the summer to discuss strategies for and answer questions that arise regarding approaching work in a legal office.

While in the office I spent time reviewing documents from the jails regarding their policies, comparing them to the Department of Homeland Security's policies, and organizing information. Every Monday I met with Jenny for 30 minutes to discuss the work I had done over the past week and to make plans for how to direct the next week's research. We reviewed our

progress on the class action case and planned visits to the three detention centers in the Northern District of California in which detainees were held. I met three times with community leaders in Oakland to discuss the jails' policies. This gave me a chance to compare the approach that community leaders took to change jail policies with the litigation route that the ACLU had decided to pursue. I also researched and wrote three memos. The first memo delved into methods detainees may pursue to complain about detention conditions. The second memo discussed the rights given unrepresented pretrial detainees under Federal and California statutory and case law. The final memo assessed the correlation between the number of continuances that judges give to ICE detainees to find counsel and the length of time spent in detention. The information I gathered regarding access to counsel, grievance procedures, and the correlation between counsel and detention length provided background information for a lawsuit that the ACLU is filing.

Another component of working on the class action case involved finding, contacting, and interviewing potential class members. During each work week I split my methods of contacting class members among observing immigration court, writing letters and sending surveys from the office, and visiting potential clients in detention centers. Each Tuesday and Thursday morning I observed Master Calendar audiences in immigration court. While I observed the Master Calendar court proceedings I took notes on detainees and created a list of people who seemed as though they would not be deported immediately and seemed as though they might be receptive to talking with the ACLU. In the office I would write letters and attach surveys to send to potential clients. I also documented all of the responses that we received from clients. Once a week, Jenny and I would drive to two of the three detention centers to meet with specific clients and discuss access to counsel with them. On one visit we participated in the Davis Law School Legal Orientation Project, so we met with many detainees to discuss their options for relief.

In addition to preparing for the access to counsel class action suit, I helped complete simple tasks for two other cases. For 30 minutes each day, I helped another lawyer with a racial profiling case by reading through traffic tickets and created a color-coded data log. Simultaneously, the ACLU settled a class action with the Department of Homeland Security regarding the policy of shackling immigration detainees in court. I followed up with clients by sorting through letters that detainees had sent regarding shackling and writing personal responses. Doing work for all three of these cases showed me the multitude of issues that the ACLU addresses, as well as showed me the limitations that prevented the organization from taking on every issue that arose. Helping out on the various projects gave me a greater appreciation for the difficulty that lawyers face to juggle multiple cases.

Having never faced detention before, I was struck by the rushed proceedings the first time I observed immigration court on my own. The first time that I observed immigration court on my own was *not* the first time that I observed immigration court. During the first week of work I went with Jenny to observe immigration court for the first time and I felt flustered, surprised by the shackles, and too nervous to look at the inmates. Although I took notes, I was too nervous to take in everything that I observed.

The second time that I came to court, I knew what to expect. I had visited with clients at Sacramento County Jail and at Yuba County Jail the previous week and I was prepared to sit across from four rows of shackled detainees in jumpsuits, I was prepared to listen to the judge's discussion of rights and observe the detainees responses. Despite being prepared for the experience, the second Master Calendar's that I observed caught me by surprise. I walked into the courtroom, took a seat across from the rows of the detainees, took note of the split: sic from Yuba, four from Contra Costa, and two from Sacramento detention facility. The judge called out

a name, a man from Yuba stood up, the judge asked him if he needed an interpreter, the man said he did, and the judge then read out the man's name, alien number, and criminal charge. Then he asked the man which country he was from, whether he was scared of returning to his country, and whether he wanted time to find a lawyer. After a series of yes's and no's the Judge told the man having a drug-related crime made him ineligible to apply for bond and made him removable despite lawful permanent resident status, and set another master calendar meeting for three weeks later. After this short exchange the judge indicated that he was done talking to this man, who sat back down, and the judge moved on to the next name. Only in cases where detainee had hired a lawyer did the conversations extend beyond yes and no questions about the detainee's life.

The fact that the judge gave little consideration to a man that faced court, because he had no lawyer demonstrated exactly how the trial-less immigration system blocks detained pro se immigrants from the ability to have a fair trial decide their future. Although this specific exchange between the judge and detainee was not substantively different than the exchanges that I had observed during the previous Master Calendar or during subsequent hearings, it was the first time I noticed the rushed nature of the hearing and the ease with which the judge had granted the unrepresented man a continuance. While the previous Master Calendar had gone by just as fast, I had worried that I was just having trouble keeping up with the hearings. However, this time, I noticed that this issue arose because the judge conducted the proceedings in a hurried nature. This man who possessed a green card, and the many who followed him, had five minutes to say yes or no to a string of questions, and no time to ask questions about detention, finding a lawyer, or options for relief, before being sent back to detention for three weeks until he would undergo another similar hearing. The judge did not set an individual hearing for a single detainee during the entire morning, and everyone except two men who chose voluntary departure was sent

back to detention to “prepare their case” before another master calendar hearing. The judge did not resolve any cases, and I felt pained by the detainees’ inability to have real discussions with the judge. I fidgeted, worried that they would all be in detention indefinitely since the judge had not scheduled individual hearings. I wanted to stand up and ask the judge to slow down and provide guidance in terms of a plan of how to seek counsel during continuances.

This moment solidified my desire to address immigration treatment and work to change the detention system when I become a lawyer. As I watched, I became horrified by the idea of the sheer amount of people across the nation that had been given no legal advice and had to undergo a short one-side conversation that would affect their entire future. Although I had previously conceptually known that immigration court had a backlog, this moment filled me with a mixture of rage that the court would make so little effort to improve the situation. In the span of five minutes, the court lengthened a person’s detention and gave no concrete advice as to how to address deportation for a man who had lived in the United States since childhood. Watching the arbitrary way with which the court dealt with this man’s future, and many others’ throughout the summer made me resolve to continue working to change the immigration system.

Having worked on such profound topics, I currently plan to return to Princeton University with redoubled efforts in immigration and detention activism. I plan to write a thesis regarding the reasons for and impacts of asylum decisions on Central American immigrants as opposed to immigrants from other countries. After graduation I would like to work for an immigration rights organization for a few years, while preparing for and applying to law school. Working for the ACLU made me much more confident that I want to work in public interest law. I became convinced that litigation is the best way for me to approach the problems that I would like to tackle, and I am excited to pursue a future in attacking social justice problems.