

Final Report of the Immigration Subcommittee September 5, 2007

The members of the immigration subcommittee have, after lengthy discussion, decided that the area of immigration law is not appropriate for the pilot project of non-lawyer practice.

The subcommittee has 5 members: Daniel Perez and Stephanie Delaney (co- chairs), attorneys Manuel Rios, Hilary Hahn and non-attorneys Raymundo Olivares and Candelaria Murillo.

The subcommittee met 3 times to discuss this area of non-lawyer practice. Its foundation was the awareness that there is a great need for additional legal services for people with immigration problems, as noted by the 2003 Civil Legal Needs study and the experience of the sub-committee members. Yet, this complex area of law is very difficult for the pro se litigant. The subcommittee noted that many people in Washington State are unable to afford a private immigration lawyer. The subcommittee further noted that the available free and low cost immigration services meet only a small amount of the demand for these services.

With this in mind, the sub-committee explored how non-lawyers could effectively assist people with immigration problems. The sub-committee was concerned with the complex ramifications of even the most basic immigration forms. The sub-committee was also concerned that non-lawyers would have a challenging time keeping up with this fast moving area of law, even with sound training and ongoing CLE's. There was also a concern that it would be difficult to establish the initial training programs that would be needed.

The sub-committee considered several options for non-lawyer practice, including having non-lawyers partner with lawyers who would do the initial issue screening and selection of forms. The sub-committee also discussed areas where it is known that non-lawyers currently practice, both legally and illegally. None of the considered options convinced the sub-committee members that the huge practice risks could be acceptably minimized.

Thus, at its final meeting in July 2007, the immigration subcommittee unanimously decided that this area of law is not appropriate for the current pilot project.