

# 2016 EMIL GUMPERT AWARD: LOYOLA IMMIGRANT JUSTICE CLINIC AT LOYOLA LAW SCHOOL

Every year the College gives the Emil Gumpert Award, the highest honor conferred by the College on any organization. Its purpose is to recognize programs which maintain and improve the administration of justice. The award is accompanied by a cash grant, this year for \$100,000 which is funded by the Foundation of the American College of Trial Lawyers. Perhaps more important than the cash grant is the prestige conferred by the award on its recipient.



President Mike Smith; Marissa Montes, Co-Director of the Loyola Immigrant Justice Clinic; Emil Gumpert Award Committee Chair David Barry; President-Elect Bart Dalton

“Applicants for the award face enormously stiff competition from many very impressive programs in the United States and in Canada. To give you an example, we had thirty-six applicants, including many impressive programs that would have been worthy recipients of our award,” said Emil Gumpert Award Committee Chair **David A. Barry** of Boston, Massachusetts in his introduction. “We narrowed those applicants down to three finalists, and we asked two members of our committee to visit each of the three finalists and to spend a day at the organization learning more about it and evaluating it.”

The Committee voted to award the 2016 Emil Gumpert to the Loyola Immigrant Justice Clinic (LIJC) at Loyola Law School in Los Angeles. “As with past recipients of this very prestigious award, what distinguishes this year’s winner from many other extraordinary programs is not only the program itself and what it does, but the people who are behind it,” Barry said. Accepting the award on behalf of the LIJC was Co-Director and Supervising Clinical Attorney of the clinic, **H. Marissa Montes**. In partnership with Emily Robinson, Montes was jointly awarded the 2012-2013 Post Graduate Public Interest Fellowship to create the LIJC, in partnership with Dolores Mission Parish and Homeboy Industries.

LIJC offers free legal services and seeks to advance the rights of the immigrant population located in the East Side of Los Angeles through direct legal services, education and community empowerment while offering law students an opportunity to learn effective immigrants’

rights lawyering skills in a real world setting. Montes, a graduate from Loyola Law School, has thus far dedicated her career to immigration law.

Montes was presented the award at the 2016 Annual Meeting in Philadelphia where she addressed the Fellows. In her remarks, instead of focusing on “the details of clinical pedagogy” and statistics with the Clinic’s ninety-nine percent success rate, she chose to “focus on the story of our beginnings, which stemmed from our passion for justice and student eagerness to learn.”

“We are not any ordinary law school clinic. We are unique in many ways, including the fact that we’re the only community-based immigration clinic in the nation that is being sought out for replication. We are also the only clinic that is directly linked to two partner sites, Dolores Mission Parish and Homeboy Industries, who have opened their doors and lent us their home to provide free consultations twice a week. Yet, what makes our history most interesting is that we are a clinic that came into existence through grassroots advocacy of the law student group and remains under the direction of two of those graduates.”

## FUELED BY GANAS

“Like many incoming law students, my passion to pursue a career in law was driven by the personal injustices that my immigrant family faced. I’ve also found my desire to become an advocate for those who follow in my place. I purposely attended Loyola Law School due to its commitment to social justice and its prestige as a public interest

law school. Yet to me and my colleagues' surprise, at the time we were the only law school in Los Angeles, let alone Southern California, that had no existing immigration clinic. Without an immigration clinic, then how were we to learn to become the best advocates we sought out to be?

"If there's anything my parents taught me is that, despite all odds, nothing should stand in the way of a good education. By *echándole ganas* or giving it your all, as they would say to me in Spanish, anything can be accomplished. So what did we do? Despite the administration's hesitation, *echamos ganas* [we gave it our all] – and advocated for the creation of the immigration clinic. We mobilized and started our own immigration law society and worked in conjunction with the Mexican American Bar Association to establish beta intake clinics with our clinic partners, not only to demonstrate a need, but also to expose students to even the most minor but important practical skill of client interviewing.

"It was this *ganas*, or desire for us and future law students to learn, that drove our persistence and determination to overcome the obstacles that were placed on us as recent graduates. It was this *ganas* that told us to give it a shot, obtain a fellowship and ultimately secure funding to start our dream in 2012, only weeks before we obtained bar results. This is the same *ganas* that we put into our work each day and have passed onto our students in their training to become the best in their field administering justice for others.

"It is the same *ganas* that I often see in their rigor and precision of their work in whatever legal setting. It is what I saw in my student, Erica, who with class and graciousness, negotiated with law enforcement to sign a certification and press them to investigate her client's human trafficker. It is like Sandra and Courtney who were successful in securing our very first clinical win by advocating for a victim of long-time domestic violence in an affirmative setting.

"It's our students like Alejandro who gave his all when arguing before a judge to secure a lawful permanent residency for his client, Esmeralda, who was abandoned and forced to cross into the United States by herself at the age of seven. Yet our students' efforts are not limited to their dedication to mastering skills, but also furthered by their desire to give a voice to their client and build their trust once again in our legal system. It is their *ganas* that has impacted lives like that of Esmeralda who now is a resident and will qualify for financial aid as she enters as a freshman at Seattle University.

"It is also their accomplishments that have driven clients like Esmeralda to value the importance of advocacy, and

have motivated her to pursue a career in law to fight for other children like her. I am proud to say that Esmeralda is now determined to be the first clinic client to attend Loyola and enroll in its work clinic. If there is anything that our clients have, it is *ganas* and the tenacity to overcome obstacles. I look forward to the day that I get to witness Esmeralda achieving her goal and enjoy the opportunity of having her as a student.

"I share our history and students' stories because this *ganas* or ability to push through is what motivates us as attorneys to perfect our skills at overcoming justices on behalf of our clients. Besides our own motivation, the importance placed on improving one's skills for the basis of others could not be done without the support of generations before us in our profession. As a recipient of the Emil Gumpert award, we have been able to keep our *ganas* going and have been able to expand our programming to train even more law students and serve even more clients.

## PROTECTION OF RIGHTS WITHIN THE COMMUNITY

"This past year with your support, we have developed a naturalization training and certificate program that has been adopted by other local Los Angeles schools and non-profits. Through our program, we have successfully trained over 80 law student volunteers, and with local community partners have assisted over 500 Angeleños in applying and securing American citizenship. This program has also allowed us to show that lawyering and the protecting of rights is not limited to the courtroom, but happens anywhere including the community setting.

"Our naturalization program not only protects individuals from deportation, but also empowers them to administer justice on their own by giving them the privilege of the fundamental democratic right to vote. I am honored to report that because of our expanded programming, we have earned the title of seventh best immigration program in the nation and the second best in the state of California. Though our clinic is only in its fourth year of existence, we will continue to push forward to be known for our training advocacy at a national level.

"Currently, we are developing an alternative spring break program along the U.S.-Mexican border in hopes to educate students that lawyering can transcend borders and have an international impact. These efforts in growth could not have been done without your support. On behalf of the Loyola Immigrant Justice Clinic, I want to thank the American College of Trial Lawyers for believing in us and giving us the opportunity to share our story of *ganas* with all of you. Thank you." ■