



Michigan Immigrant Rights Center

**ASYLUM FOR PRO BONO  
ATTORNEYS**

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# ABOUT MIRC

The Michigan Immigrant Rights Center (MIRC) is a statewide legal resource center for Michigan's low-income immigrant communities, working to build a thriving Michigan where immigrant communities experience equity and belonging.



**LEGAL  
SERVICES**

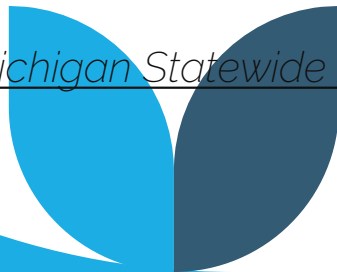


**SYSTEMIC  
ADVOCACY**



**COMMUNITY  
ENGAGEMENT &  
EDUCATION**

*A program of Michigan Statewide Advocacy Services (MSAS) administered by Michigan Advocacy Program (MAP)*



# PRO BONO RESOURCES



MENTORING



TRAININGS



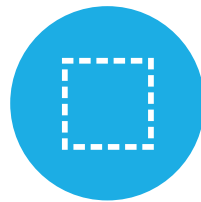
RESOURCE HUB



EXPLORE  
OPPORTUNITIES



MONTHLY  
CLINICS



LIMITED/FULL REP



LEGAL RESEARCH  
AND WRITING



# TODAY'S AGENDA

Asylum 101

The Asylum Process

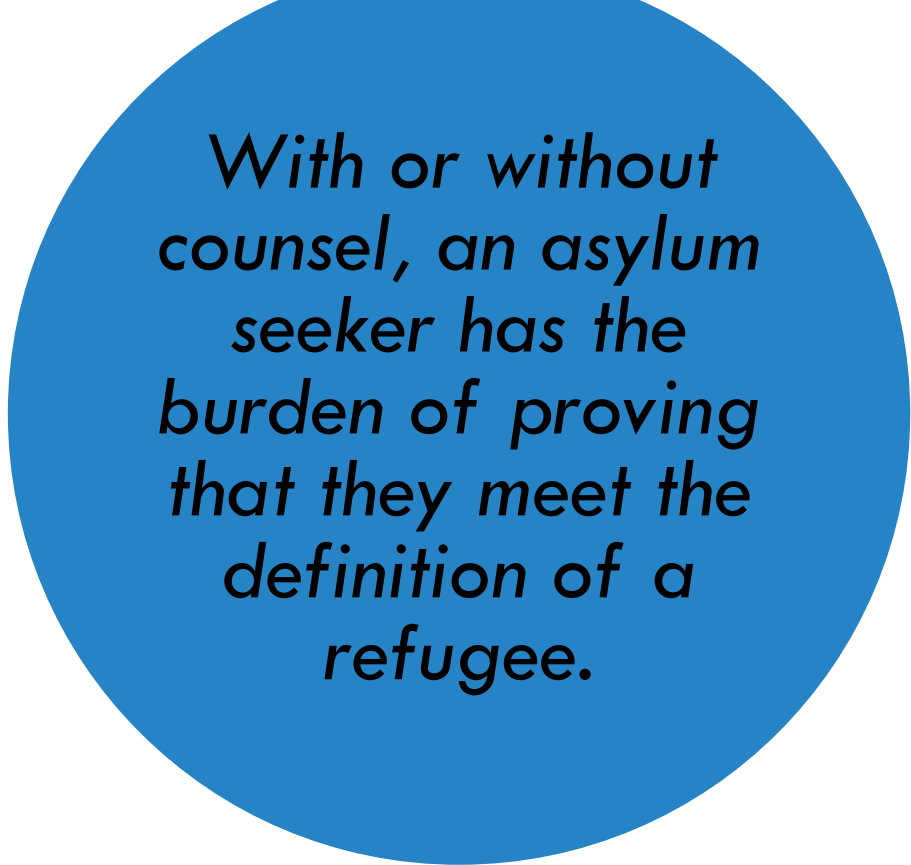
What's Happening Now?

Application Assistance



# ASYLUM 101


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*With or without counsel, an asylum seeker has the burden of proving that they meet the definition of a refugee.*

## WHAT IS ASYLUM?

A person who is

- unable or unwilling to return to their home country, and **cannot obtain protection** in that country,
  - due to past **persecution** or a well-founded fear of being persecuted in the future
  - **on account of**
  - **race, religion, nationality, membership in a particular social group, or political opinion.**
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# ELEMENTS OF ASYLUM



Persecution - Defined as “a threat to the life or freedom of, or the infliction of suffering or harm upon, those who differ in a way regarded as offensive.”



Government Unable or Unwilling to Control Persecutors - Persecution is inflicted either by the government or by persons or organizations the government is unable or unwilling to control.



On Account of – Persecution must be on account of an enumerated ground. It is not the persecutor’s subjective intent but rather the objective persecution. It requires an examination of the persecutor’s views of applicant’s actions or lack of action.

# PROTECTED GROUNDS

## Political opinion

Requires an active specific opinion or belief. May encompass more than electoral political and formal political ideology or action.

## Race

Racial categories tend to combine various cultural groups into larger identities—be they defined by the groups themselves or (as in most cases) by other people.

## Nationality

Can include national ethnic or linguistic group or national minority with a dominant national group or even national majority with a dominant minority group

## Religion

Understood broadly to include newer or smaller systems of sincere beliefs and may also includes converts.

## Particular Social Group (continued)



# PARTICULAR SOCIAL GROUP

## **1. A group of persons who share a common, immutable characteristic:**

- This characteristic cannot be changed, or it is so fundamental to their identity or conscience that they should not be required to change it or cannot change it.
- Examples include sexual orientation, family ties, gender, or past experiences (e.g., domestic violence).

## **2. Social distinction (or visibility):**

- The group must be perceived as distinct by society in the applicant's country. This doesn't necessarily mean physical visibility but social recognition.

## **3. Particularity:**

- The group must be clearly defined with specific boundaries. It cannot be overly broad or amorphous. For instance, "young men in danger of gang recruitment" may not meet this standard, while "former child soldiers from X country" might.

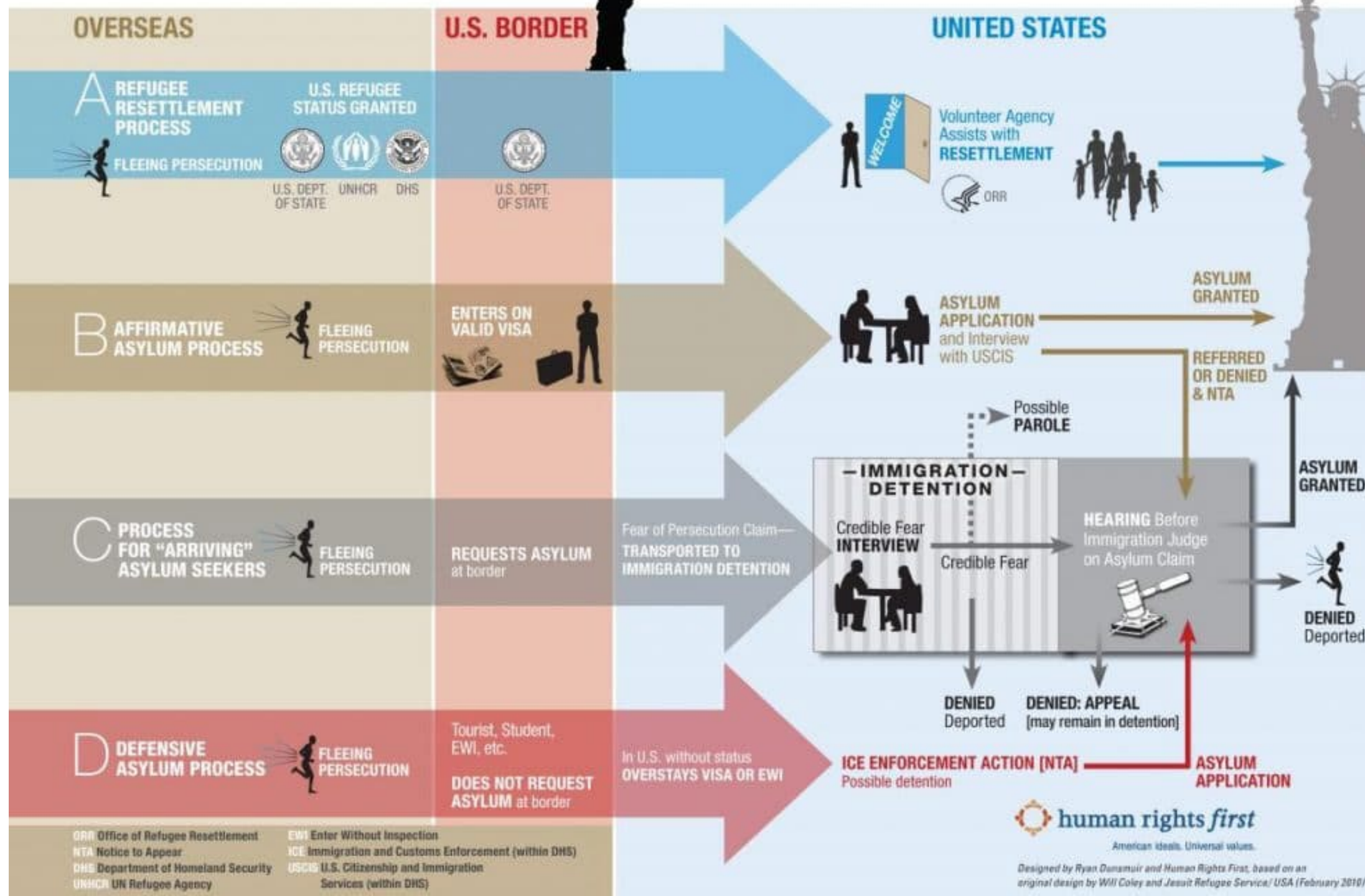
**IMMIGRATION COURT**

## **ASYLUM PROCESS**

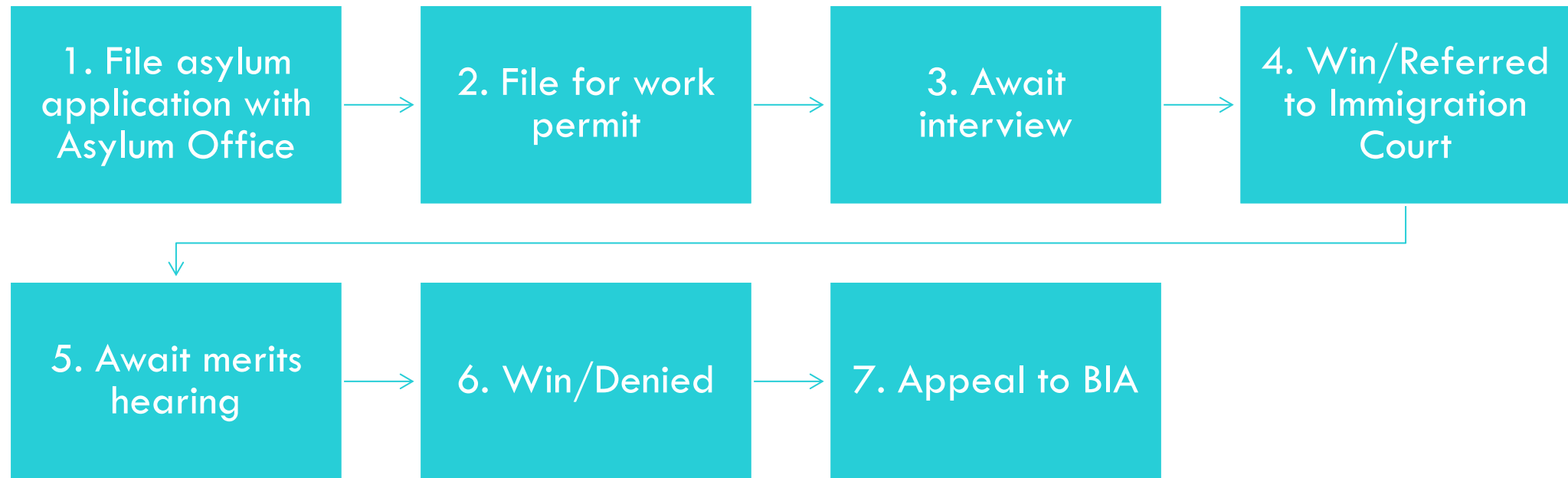


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# WHAT IS THE ASYLUM PROCESS?



# WHAT IS THE ASYLUM PROCESS?



# WHAT IS HAPPENING NOW?

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Suspension of US Refugee Admissions Program (USRAP)

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Termination of the Welcome Corps program

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Increased fees for asylum applications and work permits

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Expansion of asylum restrictions

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Termination of categorical parole programs

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Revocation of CBP One app

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Increased funding for immigration enforcement

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Operation Safeguard

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Agreements with third countries



Department of Homeland Security  
U.S. Citizenship and Immigration Services  
P.O. Box 473889  
Memphis, TN 38163-1488

U.S. Citizenship  
and Immigration  
Services

# APPLICATION ASSISTANCE

# LIMITED REPRESENTATION



EOIR allows for limited appearance for document assistance before the immigration court (EOIR-61).



They do not have the obligation to appear in court on behalf of the pro se respondent and has no ongoing responsibility.

# FILLING OUT THE APPLICATION

## Pages 1-4

- Personal information
- Employment history
- Education history
- Residence history
- Name/information of family members

## Pages 4-8

- Persecution: What? When? Who? Why?
- Fear of torture
- Criminal history
- Journey to the U.S.
- One year deadline



# ASYLUM APPLICATION ASSISTANCE CLINIC

- ❖ Detroit MIRC Office
- ❖ 10 AM – 2 PM
- ❖ Third Friday of every month: September 19
- ❖ Second Friday of every month Lunch and Learn: Going over each question on the I-589, tips and tricks to filling it out
- ❖ Professional interpreters provided
- ❖ Participants pre-screened
- ❖ Mentorship on-site

**READY TO HELP?**

**Register**  
**Here**

**Sign up**  
**Here**