

## BigLaw Springs Into Action Following Immigration Ban

By **Aebra Coe**

*Law360, New York (January 30, 2017, 9:17 PM EST)* -- Attorneys from a number of BigLaw firms over the weekend rushed to the aid of immigrants and refugees attempting to enter the U.S. following President Donald Trump's Friday executive order suspending immigration from seven predominantly Muslim countries and temporarily halting the nation's refugee program.

Thousands of attorneys from a wide array of law firms including Kirkland & Ellis LLP, Latham & Watkins LLP, Hogan Lovells, Mayer Brown LLP and others filed lawsuits, rushed to airports to help those stuck in transit as well as their families, and acted as legal observers to the massive protests that arose over the weekend in response to the president's executive order, which bars the entry of citizens of seven Muslim-majority countries to the U.S. for 90 days and freezes refugee admission for 120 days.

The response of lawyers to the order has been "overwhelming," according to Wendy Atrokhov, public service counsel at Latham & Watkins, with volunteer attorneys dispatched to every international airport in the U.S. on short notice on Saturday and Sunday.

There, the attorneys offered help to confused and concerned family members who expected loved ones to arrive from overseas, but instead learned those loved ones had been held up by U.S. Customs and Border Protection as a result of the order, or had not been permitted to board airplanes to the U.S. as intended due to the ban.

A number of stories flooded in Monday from lawyers who were on the ground at airports across the U.S. working to serve pro bono immigration clients.

A Latham & Watkins associate reported working with the children of a man who has been a lawful permanent resident of the U.S. for almost 40 years and who was scheduled to arrive at Chicago's O'Hare Airport over the weekend, but was held up by CBP.

Hogan Lovells attorneys at John F. Kennedy International Airport in New York were given access to detainees and conducted intake interviews, but few people being detained had been released, and so the lawyers drafted habeas petitions on behalf of individual refugees, seeking immediate release.

Attorneys were also quick to file lawsuits combatting the executive order and were successful in securing temporary restraining orders freezing implementation of the order in four federal courts, including in Massachusetts, New York, Virginia, California and Washington.

On Sunday, American Bar Association President Linda Klein expressed her support for the legal industry's pro bono work over the weekend on Twitter, saying, "So proud of lawyers working on immigration-order cases. They represent what our profession is about: access to the justice system for all."

Even legal technology companies got involved in the effort to aid immigrants and refugees impacted by the order. Legal analytics provider Ravel Law said Sunday that it would provide its services for free to attorneys working to help those affected by the order, and legal project management software maker Clio offered its software up for free to those working on issues surrounding the order.

The American Civil Liberties Union, which spearheaded a New York suit and secured a temporary restraining order blocking the executive order, reported Monday that it received \$24 million in donations over the weekend following the executive order — near seven times more than it typically raises in a year.

A spokesman for the White House said Sunday that "[i]t is the right and duty of the president to do everything in his legal and constitutional power to protect the American people. ... The executive order is a vital action toward strengthening America's borders, and therefore sovereignty."

Many BigLaw firms have existing pro bono programs representing immigration clients that kicked into high gear following the president's move, with attorneys assessing how the executive order impacts their clients, taking on new clients and revving up for immigration proceedings or wider litigation efforts disputing the legality of the new policy.

Atrokhov says that Latham & Watkins had its pro bono attorneys present in airports in Boston; Dulles, Virginia; Newark, New Jersey; Baltimore; Chicago; Los Angeles; San Francisco; and San Diego by Saturday.

"I think there have been instances like this in the past — Hurricane Katrina and 9/11 — but this is the first time in recent memory there was a call for help and we had more of a triage situation, an immediate need to provide support over two or three days," Atrokhov said.

Around 65 Latham lawyers volunteered their time over the weekend. In Chicago alone, 22 of the firm's lawyers volunteered to help at O'Hare Airport.

Among them was associate Adam Rosenbloom. Rosenbloom says the biggest challenge the attorneys who showed up at the airport faced was figuring out what the needs of the immigrants there were and addressing them in an organized manner.

"Once we identified who was being questioned, we talked to families to get more information and put together drafts of habeas petitions. It was very much in flux most of the day. Much of the need was for lawful residents to come back into the country," he added.

In one case, Rosenbloom says, the sons of a man who had resided in the U.S. for about 15 years were waiting to pick up their father from the airport for nearly seven hours with no word before they found out he'd been released from CBP.

According to a spokesperson at Kirkland & Ellis, the law firm had an estimated 40 lawyers at all levels respond to the call for legal assistance from the International Refugee Assistance Project at O'Hare, JFK

and Newark airports.

“Kirkland lawyers provided translation services, counseled dozens of people and filed several habeas petitions in the federal courts,” the spokesperson said Monday.

Hogan Lovells had more than 20 lawyers on the ground in three different states over the weekend.

“When news broke on Saturday that refugees were being detained at international airport hubs across the United States, a coalition of immigration and refugee assistance organizations put out a call for lawyers from across the legal community to volunteer to help the detainees. Hogan Lovells responded,” the law firm said in a statement.

According to the firm, Hogan Lovells attorneys were at Dulles International Airport in Virginia until very late Saturday night attempting to get access to detainees. Although a federal court order required CPB to grant the detainees access to legal counsel, CPB did not comply and refused access, the firm said.

“At approximately 1 a.m. Sunday, it was announced that every person being detained at Dulles had been released. While interviewing family members waiting for their loved ones, the firm learned of several people who had already been sent back to their countries of residence earlier in the day,” the firm said in a Monday statement.

Mayer Brown attorneys offered their help in the filing of a complaint Monday on behalf of two Yemeni brothers, contending their clients were unlawfully coerced to sign I-407 forms, which purported to document “Abandonment of Lawful Permanent Resident Status.”

“We believe the agency unlawfully coerced our clients, two Yemeni brothers, and others into signing administrative forms to waive their immigration rights,” said Simon Sandoval-Moshenberg, legal director of the Immigrant Advocacy Program of the Legal Aid Justice Center who is co-counsel to the Yemeni brothers with Mayer Brown partners Paul Hughes and Andy Pincus. “Their signatures were not voluntary.”

Foley Hoag LLP immigration counsel Punam Rogers says that she coordinated with others who belong to the New England chapter of the American Immigration Lawyers Association on Saturday in an effort to serve the needs of those arriving at Boston’s Logan International Airport. The organization quickly posted the names and phone numbers of several attorneys at the airport’s international terminal, including Rogers’ number.

She says she got a number of calls from concerned family members of immigrants traveling over the weekend, including a call from a Syrian woman who is pregnant and in the U.S., and whose husband was traveling.

“More of the calls we’re getting are travelers coming in this week or in the next several weeks from the named countries who are trying to understand if they can get in. There’s a lot of confusion right now,” Rogers said.

Attorneys at Lowenstein Sandler LLP also offered their help. Leaders of the firm’s pro bono program spent Saturday evening and Sunday afternoon at the Newark airport working with other volunteer lawyers to assess how immigrants were being processed and to respond to those with legal needs.

“There’s been an outpouring of legal volunteerism. It’s astonishing how the lawyers have stepped up,” Catherine Weiss, partner and chair of the Lowenstein Center for the Public Interest, said.

--Editing by Philip Shea and Aaron Pelc.

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