

# Ethical Considerations for Attorneys Representing Detained Immigrants

San Francisco, Live Webcast and [www.pli.edu](http://www.pli.edu), July 31, 2017

## Why You Should Attend

As of April 2017, there were 884 individuals detained ICE custody in Northern California alone. And in fiscal year 2016, the Department of Homeland Security reports having apprehended 530,250 individuals nationwide and conducted a total of 450,954 removals and returns. We are fortunate that in recent months, private and public funding has increased for *pro bono* representation of detained immigrants in several localities around the country. Representation of detained immigrants raises some unique challenges because the clients are particularly isolated, have extremely restricted means of communication available, their cases often entail procedural and criminal histories that raise numerous difficult legal issues, and their cases move at a fast pace. This training will provide you with the foundation that you need to navigate the many ethical challenges that may arise in representing detained immigrants.

## What You Will Learn

- How can I ethically address consent and confidentiality with a detained client?
- How should I keep my client reasonably informed?
- What conflicts of interest might arise in the context of ICE enforcement actions?
- What should I do if I become concerned about the validity of evidence or testimony?
- How can I ethically prepare my client to testify without eliciting too much information?
- What if my client has multiple forms of relief and some may not seem worth pursuing?
- How to discuss potential settlement offers with your client.

## Who Should Attend

This training is designed for immigration attorneys who want to learn about ethical issues that arise in the context of detention work. Participants should have a basic knowledge of immigration law, but need not have prior experience defending detained immigrants against removal.

## **Program Schedule**

9:00

Program Overview and Introductions

***Valerie Anne Zukin***

9:05

### **Ethical Considerations for Attorneys Representing Detained Immigrants**

The panelists will discuss how to most effectively address certain ethical challenges that arise in the context of representing detained immigrants under the ABA Model Rules and the California Rules of Professional Conduct. The panelists will discuss how to ethically address consent and confidentiality, how to keep clients reasonably informed, how to address conflicts of interest that are more likely to arise in the context of detained cases, how to handle concerns about the validity of evidence or testimony, how to prepare clients to testify without eliciting unnecessary information, and how to talk to clients about which forms of relief to pursue and potential settlement offers.

***Holly S. Cooper, Valerie Anne Zukin***

10:35 Adjourn

## **Faculty**

### **Chair**

#### **Valerie Anne Zukin**

Lead Attorney Coordinator

Northern California Collaborative for Immigrant Justice

San Francisco, California

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#### **Holly S. Cooper**

Immigration Clinic Co-Director

University of California, Davis School of Law

Davis, California

**Program Attorney: Christina Thompson**