Foster Garvey

News

Foster Garvey and NWIRP Help Mother and Son Gain Asylum and Avoid Deportation

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Foster Garvey and Northwest Immigrant Rights Project (NWIRP) worked together to help Anna* and her son Jorge,* Guatemalan asylum seekers, find refuge in the United States and avoid deportation.

John Hoerster, the firm's Public Service Counsel, first began representing Anna in her asylum case in 2017 when she was referred by NWIRP, an organization devoted to promoting justice by defending and advancing the rights of immigrants through direct legal services, systemic advocacy and community education.

Anna and Jorge came to the United States from Guatemala in 2016 and ended up in Washington state to reunite with Anna's mother, Maria.* Anna fled Guatemala to escape her kidnapper, who had held her captive in his home and engaged in severe domestic violence for three years, after attacking her while walking to school when she was 14 years old.

From the onset of the firm's involvement, NWIRP was representing Maria, and Foster Garvey was representing Anna and Jorge in separate defensive asylum cases to prevent deportation. Maria's case was the first to be heard, and she was granted asylum following an Immigration Court hearing in September 2017. Anna's case was scheduled for hearing in June 2018, but very shortly before her case was to be heard, then U.S. Attorney General Jeff Sessions issued a directive that domestic violence would no longer be an eligible basis for claiming asylum.

Foster Garvey immediately moved for a postponement of the hearing date to consider this new development, and the Immigration Court responded by postponing the hearing until September 2021. In concert with NWIRP, Foster Garvey used this delay to successfully pursue an alternative strategy by which Anna would obtain derivative asylum status through her mother and Jorge would obtain Special Immigrant Juvenile status.

Ultimately, in November 2022, Foster Garvey obtained an Immigration Court order terminating the removal proceedings against Anna and Jorge, thereby allowing both to stay in the United States. Foster Garvey continued to work with Anna, assisting her in also getting work authorization.

Thanks to the good work of many, Anna and Jorge were able to escape a life of violence and find a safe harbor in the United States.

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* Due to the sensitive nature of their cases, the clients' real names are not being used.

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