

Dear *{{Informal Name}}*,

We are off to an exciting start to 2023 here at The Legal Clinic (TLC). The Hawai'i State Legislature is in session, and now is the time to take action on bills that can improve the lives of thousands of our immigrant residents. We're grateful to the TLC volunteers who help us draft and submit testimony, attend hearings, and fiercely advocate. Another way you can support TLC is to reserve your tickets for our annual Pau Hana Benefit Event on April 13th. To register, click on the link below. Mahalo nui loa to those of you who have already registered or donated an auction item. We look forward to celebrating with you!

Bettina Mok
Executive Director

Save the Date: Stand Up for Immigrant Justice Pau Hana on April 13, 2023

Please join us for this year's benefit event, raising critical unrestricted funds for TLC to continue providing free, expert immigration legal services at no cost to low-income immigrants in Hawai'i.

The "Stand Up for Immigrant Justice" Pau Hana takes place on Thursday, April 13th, from 5-7 PM at Cafe Julia in downtown Honolulu. U.S. Senator Mazie Hirono is the event's honorary chair.

We will be recognizing Amefil "Amy" Agbayani with TLC's 2023 Guardian of Immigrant Justice Award as she celebrates her 80th Birthday! Enjoy lively networking, pupus, drinks, entertainment, lucky prizes, and more.

We are also seeking event sponsors and donated items for a silent auction. If you can contribute in this way, please contact us at (808) 900-7233 or info@thelegalclinichawaii.org.

Reserve your tickets or donate online:
givebutter.com/2023TLC

Take Action!

TLC advocates and friends on the first day of the 2023 legislative session at the Hawai'i State Capitol

TLC is joining the Hawai'i Coalition for Immigrant Rights and the Filipino Legislative Caucus to support the 2023 State of Hawai'i legislative session bills.

- [SB812](#) & [HB439](#) are companion bills that allocate funds to establish statewide coordination of services for immigrants and migrants in Hawai'i.
- [SB842](#) allocates funds for healthcare services for undocumented immigrants and immigrants that are ineligible for federal healthcare assistance.
- [SB811](#) requires the disaggregation of demographic data, separating Asian Americans, Native Hawaiians, and other Pacific Islanders into distinct groups in demographic publications to promote more equitable outcomes.

TLC also urges testimonial support for the following bills:

- [SB813](#) would impact our state's low-income workers and residents.
- [SB814](#) would protect and support language access.
- [HB438](#) will establish a State level Pacific Islander Youth Program Coordinator position
- [SB1168](#) "Clean Slate" bill would expand the expungement of certain criminal records

Immigrant advocates are urged to testify in support of the bills by registering at <https://www.capitol.hawaii.gov/account/register.aspx>, then navigating to each bill page and clicking on 'Submit Testimony'."

Volunteer Spotlight

Carl Bergquist, TLC Volunteer

Carl Bergquist, General Counsel for the Coalition for Humane Immigrant Rights (CHIRLA)--joined TLC's advocacy committee in October 2021. Carl, an immigrant himself (from Sweden), holds a master's degree in Ethnic and Migration Studies from the University of Amsterdam, and a law degree from Richardson School of Law at the University of Hawai'i at Mānoa, where he advocated for--and then participated in--the relaunched Refugee & Immigration Law Clinic under Professor John Egan. Carl alerts us to opportunities to engage Hawai'i's congressional delegates on pro-immigrant federal bills and policy matters. He joins TLC's calls remotely from Ohio, where his day job is to steer CHIRLA's national advocacy and litigation efforts. We are so blessed to have his savvy guidance on policy matters and to help us connect the dots between the concerns of Hawai'i's immigrant community and the relevant initiatives of other immigrant advocates around the country. We mahalo you, Carl. Come back and visit us in your former home!

Ongoing Pandemic-Related Legal Challenges for TLC Clients

Historically, U.S. Citizenship and Immigration Services (USCIS) has had challenges with backlogs, causing migrants with pending applications to wait months, and sometimes even years, to receive a decision on their case. The COVID-19 pandemic exacerbated these backlogs, as in-person services were shut down and offices paused conducting in-person interviews, biometrics appointments, and oath ceremonies- all of which are essential to many application processes. Even though services have resumed, these backlogs continue to affect our clients today.

[Stock image. Not TLC's actual clients]

Recently, TLC attorneys assisted a newly married couple with their lawful permanent residency process, which had become mired in the confusion of USCIS requirements.

When acquiring lawful permanent residency through a family petition filed by a U.S. citizen or resident spouse where the marriage is less than 2 years old, USCIS will not issue a Permanent Resident Card that is valid for the usual 10 years. Instead, they issue a card that is only valid for 2 years. This is referred to as conditional permanent residence. The newly admitted spouse's residency is subject to the requirement of filing a petition along with their spouse to remove these conditions at least 90 days before the date of expiration of the conditional card. Failure to comply with this requirement will automatically terminate the conditional permanent resident status, which will subject the person to removal proceedings.

Our client, a non-citizen newly married to a U.S. Citizen, was granted conditional permanent residency and was fast approaching the expiration date of the conditional permanent resident card. Unfortunately, due to the client's inability to afford the services of a private immigration attorney to guide them through the process, the client had mistakenly filed an application to renew the permanent resident card instead of the petition to remove the conditions on residency. Because of the unprecedented pandemic backlogs, the couple did not find out they had filed the incorrect application until almost two years later, when they received a letter from USCIS denying the green card renewal application. By missing the deadline to remove the conditions for residency, the client is technically out of status, and runs the risk of being referred to Immigration and Customs Enforcement (ICE) and put into removal proceedings.

This couple then sought help from TLC, whose attorneys were able to assist in filing the correct petition to remove the conditions on their residency and are requesting that USCIS favorably adjudicate their petition despite the initial untimely filing. TLC attorneys are zealously advocating in favor of the client so that this family can remain together and ensure that the non-citizen spouse is safe from the risk of deportation and that the couple can continue to care for their infant children.

Staff Updates

Welcome Omar & Maria!

Omar Vaquerano, Senior Attorney

TLC welcomes Omar Vaquerano as TLC's new senior staff attorney. Omar was admitted to the New York State Bar in 2019 and to the Bar in El Salvador in 2016. He received his Juris Doctor (J.D.) from Emory University School of Law, a Master of Laws (LL.M.) with a Business Law certificate from USC's Gould School of Law, and a Bachelor of Laws degree from the Escuela Superior de Economía y Negocios in El Salvador. Omar began his law career in his native home of El Salvador as an Associate for two international commercial arbitration firms, representing foreign and local corporate clients in ad-hoc and institutional arbitration proceedings. After securing another law degree in the U.S., Omar clerked at a private firm in San Diego, where he worked on family-based and employment-based immigration petitions and permanent labor certifications (PERMs). He also worked as an immigration attorney at two other private law firms in California and Virginia, representing clients in immigration court and in connection with a wide range of immigration matters such as preparing waivers of grounds of inadmissibility, filing applications for advance parole, DACA renewal, U-visas, family petitions, and naturalization.

Maria Rallojay, Legal Assistant

Last November, TLC also welcomed Maria Rallojay to the team. Maria's commitment to immigrant rights is rooted in her experience as a first-generation immigrant. With a B.A. in Political Science and Ethnic Studies from the University of Hawai'i at Mānoa, Maria has deepened her understanding of the history of immigration and social justice movements in Hawai'i and the disparities faced by underserved communities. Maria comes to TLC with a strong background in community outreach and a deep understanding of immigrants' challenges. In her role as a legal assistant, she provides critical legal and administrative support to our immigration attorneys and to the organization. In this capacity, Maria hopes to help immigrants and

their families navigate the complex field of immigration law and make a meaningful impact within the community.

A Hui Hou Kara

We bid a fond "A hui hou" to attorney Kara Teng this month, who will join the legal team at UH Richardson School of Law's Refugee & Immigration Law Clinic. Kara worked on a range of cases, on O'ahu and neighbor islands, helping TLC clients secure citizenship, seek relief from deportation, and pursue other forms of status adjustment. Thank you, Kara, for your compassionate service to the client community!

TLC is hiring for the following positions:

- Development Manager
- Staff Attorney

See thelegalclinichawaii.org/jobs/ for details, and please help us spread the word!

 [Donate to support The Legal Clinic](#)



Our Contact Information

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TLC's mission is to ensure justice for low-income immigrants and migrants in Hawai'i, through high-quality immigration legal services, education, and advocacy.