

SPEAKING TRUTH TO POWER

HELPING LAW STUDENTS FIND THEIR VOICE BY CONNECTING WITH THEIR
CLIENTS THROUGH EMPATHY AND EMPOWERING THEMSELVES IN THE PROCESS

PRESENTER: ANNE S. BAUTISTA, LEGAL PROGRAM DIRECTOR, ACCESS INC.

SAVE LEGAL NETWORK OF SAN DIEGO COUNTY

PROFESSOR IN PRACTICE, CALIFORNIA WESTERN SCHOOL OF LAW



MY STORY – MY CAUSE – BUILDING MY NETWORK

Anne S. Bautista, Esq. Access, Inc. Legal Program Director Ms. Anne S. Bautista is the Legal Program Director for the VAWA Legal Program and SAVE Legal Network of San Diego County. She is an immigration attorney specializing in representing immigrant victims of domestic violence and sexual assault under the Violence Against Women Act (VAWA). She began the VAWA Legal Program at Access, Inc. in 1997 and has successfully represented thousands of women and children under VAWA. Ms. Bautista serves as the current Vice President for Silayan Filipina. Ms. Bautista is also an Adjunct Professor of Law at California Western School of Law (CWSL) teaching two courses: Women and Immigration Law, a course which takes a critical look at the effect of immigration laws and policies on women immigrating to the United States, and the Immigration Seminar and Clinical Field Placement: Helping Victims of Domestic Violence. She received her J.D. from California Western School of Law and her B.A. in English Literature from the University of California at Berkeley. She has received numerous awards for her work including the San Diego Domestic Violence Council Lifetime Achievement Award and the Moxie Award for women displaying grit and determination. She is a first generation born Filipina-American and former Director of Education and Vice President and current President of Silayan Filipina National Organization.





Silayan Filipina

This is an opportunity for us to celebrate the accomplishment of the women's movement while also celebrating womanhood and motherhood; connect by sharing our stories; and empower all women by allowing ourselves to speak truth to power.

This is a FREE event. Light lunch will be provided.

RSVP at: <http://www.silayanfilipina.com/Workshop/WonderWoman/>

From Wonder Woman to Hillary Clinton to the Women's March: Where do we go from here?

info@silayanfilipina.com
www.silayanfilipina.com

Silayan Filipina National Organization is a 501(c)(3) nonprofit organization (Tax ID# 38-3921017)

**Saturday, May 13, 2017
2:00 - 5:00 PM
Scripps Ranch Library
10301 Scripps Lake Drive
San Diego, CA 92131**

Event Panelists and Facilitators:
Aimee S. Rawlata, Esq., (Overall Facilitator)
Attorney at Access, Inc. and Law Professor;
Sharon Filipina Director of Education and mom
Carolyn Ouya
Outreach & Recruitment Specialist, Access, Inc.
Yolanda Torres Villa
Legal Assistant & Victim Advocate, Access, Inc. and mom
Rafael Abasco
Youth Microenterprise Developer, Access, Inc.
Coordinator of Familia Indígena Unida
Carmen Chavez
Executive Director of Casa Conella Law Center
Paralegal Executive
Law Professor and Associate Dean of Experiential Learning at California Western School of Law
Thelma Vireta de Castro
Filipino American playwright and mom
Amanda Solomon
Associate Director, UCSD's Culture, Art, & Technology Program
Executive Director, Kuya Ats Membership Program and mom
Mariel Cota
Entrepreneur/Owner of Flowers by Mariel and Woman's Rights Activist and mom
Kim Henry
Domestic Violence Coordinator and Detective for the San Diego County Sheriff's Department and mom
Kristine Castañeda
ERISA Paralegal/Business Development Director

- In this time of polarization, marginalized individuals are feeling under attack as our current political climate forces them to choose sides, blame the other, and determine who deserves protection under our laws and who does not. The traditional forms of protest alone may not do what is needed to broaden our coalitions and connect with others who are not within our social and professional networks
- As a law professor who also works as a public interest attorney representing the most marginalized and vulnerable amongst us – immigrant and refugee victims of sexual violence – I knew that simply teaching law students how to apply facts to the law is not enough. Helping law students use their critical thinking skills to challenge a position while having empathy to connect with rather than alienate others, will allow them to have a better connection with their clients, better understanding of their community, and help them find their own passion for law as they better understand themselves and the critical role they play in protecting our institutions and values.
- In my Women and Immigration Law Class at California Western School of Law in San Diego, in addition to learning about immigration law through a gendered lens, the students are encouraged to use their own experience, values, and interests to see how a legal career allows them to empower others and ultimately themselves as they use their skills to work towards a cause.
- As a non-profit attorney representing immigrant and refugee victims who faced primarily sexual violence, I teach my students that to be a good lawyer you need to apply the law to the facts; to be a great lawyer you need to empathize with your client to advocate for them; to be a happy lawyer, you need to know what you are passionate about – why do you care.

TO TRULY CONNECT, WE NEED TO GET OUT OF OUR COMFORT ZONE BY RESISTING OUR DESIRE TO CATEGORIZE OTHERS

- Give law students exercises/opportunities that challenges their preconceived ideas, biases, perception
- Give them opportunities to challenge their views by working on a group project
- Give them ample opportunity to reflect and discuss

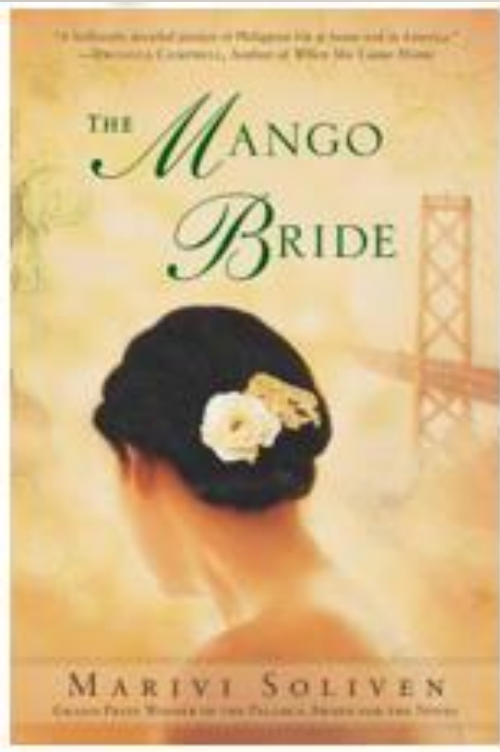
Sample: Using the arts to connect to our feelings/ability to put ourselves in the situation (novel/theatre)

Sample: Recognizing Unhealthy Relationship Scenario- DV vs. HT



REACHING A BROADER AUDIENCE AND CONNECTING WITH OTHERS BY MAKING THEM FEEL AND EXPERIENCE THROUGH A CHARACTER NAMED “BEVERLY” A FICTIONAL FILIPINA IMMIGRANT WHO BECAME A VICTIM OF DOMESTIC VIOLENCE AFTER MARRIAGE TO A U.S. CITIZEN

THE MANGO BRIDE,
BY AUTHOR MARIVI SOLIVEN



- Assigned reading in my Women and Immigration Law class and helps deepen the understanding of immigrant spouses of US. Citizens who fall victim to domestic violence
- Novel picked up to become a movie this year





A PLAY EXPLORING DOMESTIC VIOLENCE
IN SAN DIEGO'S FILIPINO COMMUNITY

THE FIRE IN ME

BY THELMA VIRATA DE CASTRO

DIRECTED BY CHRISTINE CERVAS NATHANSON

FREE PUBLIC PERFORMANCES

Sat., March 2, 2019, 2pm — Skyline Hills Library
7900 Paradise Valley Road, San Diego, 92139

Sun., March 10, 2019, 2pm — Central Library
330 Park Blvd., San Diego, 92101

Sat., March 16, 2019, 2pm — Scripps Miramar
Ranch Library
10301 Scripps Lake Dr., San Diego, 92131



OUR PRODUCERS



OUR SPONSORS



OUR COLLABORATORS



RSVP:

www.thefireinme2019.com

MARCH 2019, PREMIERED 3 THEATRICAL SHOWINGS
OF THE FIRE IN ME PLAY: A PLAY BASED ON THE
WORK OF THE VAWA LEGAL PROGRAM AND
EXPERIENCES OF DOMESTIC VIOLENCE VICTIMS IN
THE FILIPINO COMMUNITY- MY CLIENTS

EXERCISE: IS THIS A VICTIM OF DV OR HT: JUSTIFY YOUR ANSWER, HAVE THEM DISCUSS BEFORE GIVING THE LAW

- “Ahn”
 - Age 17, eldest of 5 from Vietnam
 - Poor Family- cannot feed all children
 - Male friend of father age 40 offers to marry her so they have one less mouth to feed
 - Anh marries him to save her family
 - Forced sex by new husband who also forced her to have sex with his customers
 - Threatens her that if she leaves him, he will recruit her younger sister, who is only 13, into prostitution
- “Ligaya”
 - Age 35, dental practice, in Philippines
 - Meets soulmate online- a white man from Dallas Texas, also has his own dental practice
 - After she sees despite their difference they connect– both lost a parent
 - She marries him after he says she can continue her career in the U.S. and join his dental practice
 - Not paid, working as maid not dentist, must be with him at work
 - Raped her at the dental office and says he secretly recorded them having sex and would use to shame her and tell her dental colleagues through social media that she is an “uneducated prostitute”

WHY THIS EXERCISE AND DISCUSSION WORKS

REVEALS OUR BIASES/PERCEPTION

- Forced sex: see Ahn, rather than Ligaya as a victim of HT
- Age and education of victim: see Ligaya as not real victim – should have known better
- Decision made by both Ahn and Ligaya to marry– for some takes away that they are victims at all because they “decided”

DETERMINES HOW WE WOULD RESPOND TO NEEDS OF CLIENT

- Challenge our own need to judge or categorize people into those who deserve protection and those who do not
- Allow us to try to understand the situation from the client’s perspective
- Hear from their peers of different experiences, viewpoints
- Understand the circumstances behind that person’s decision

HOW BEING ABLE TO SEE THEIR CLIENT AS MORE THAN JUST ONE DEFINED VICTIM THEREBY ALLOWING YOU TO BETTER REPRESENT THEM:

VAWA (DV) OR U VISA (DV,SA,HT) OR T VISA (SEX OR LABOR TRAFFICKING VICTIM)

Violence Against Women Act (VAWA) Self-Petitioners



Some immigrants may be afraid to report acts of domestic violence to the police or to seek other forms of assistance. Such fear causes many immigrants to remain in their abusive relationships.

Victims of domestic violence who are the child, parent, or current/former spouse of a United States citizen or a permanent resident (green card holder) and are abused by the citizen or permanent resident may be eligible to apply for a green card themselves without needing the abuser to file for immigration benefits on their behalf. This provision of the law was created under the Violence Against Women Act (VAWA).

Victims must establish that they:

- Have or had a qualifying relationship with the abuser spouse, or, are the parent or child of the abuser,
- Reside or resided with the abuser,
- Have good moral character, and
- Have been victims of battery or extreme cruelty

VAWA provisions apply equally to men and women.

Victims of domestic violence, whether a spouse, child, or parent of the abuser, may self-petition by filing Form I-360, Petition for Widow(er)s, Amerasians, and Special Immigrants. This form is available on USCIS' website, www.uscis.gov.

U Nonimmigrant Status

U nonimmigrant status (or U visa) offers immigration protection for victims and is also a tool for law enforcement. To obtain U status, the victim must obtain a certification from law enforcement, however, law enforcement officials should note that providing a certification does not grant a benefit—only USCIS has the authority to grant or deny this benefit.

Victims are not required to be in legal immigration status, but they must:

- Be a victim of qualifying criminal activity and have suffered substantial physical or mental abuse as a result of the crime,
- Possess credible and reliable information about the qualifying criminal activity,
- Be, have been, or are likely to be helpful to the investigation and/or prosecution of that qualifying criminal activity, and
- Be a victim of criminal activity that violated a U.S. law.



Victims of the following crimes may be eligible for a U nonimmigrant visa:

Abduction	Manslaughter
Abusive Sexual Contact	Rape
Blackmail	Murder
Domestic Violence	Obstruction of Justice
Extortion	Witness Tampering
False Imprisonment	Prostitution
Female Genital Mutilation	Sexual Assault
Perjury	Slave Trade
Felonious Assault	Torture
Hostage Taken	Trafficking
Incest	Sexual Exploitation
Peonage	Unlawful Criminal Restraint
Involuntary Servitude	Other Related Crimes
Kidnapping	

To apply for U nonimmigrant status, the victim must file Form I-918, Petition for U Nonimmigrant Status. Law enforcement official must certify Form I-918, Supplement B. Qualifying family members may also be eligible to apply for benefits.

Visit the "Humanitarian" section of
the USCIS website
www.uscis.gov

Law Enforcement Officials and Representatives of Record
contact USCIS at **1 802 527 4888**

All others should call **1 800 375 5283**



T Nonimmigrant Status

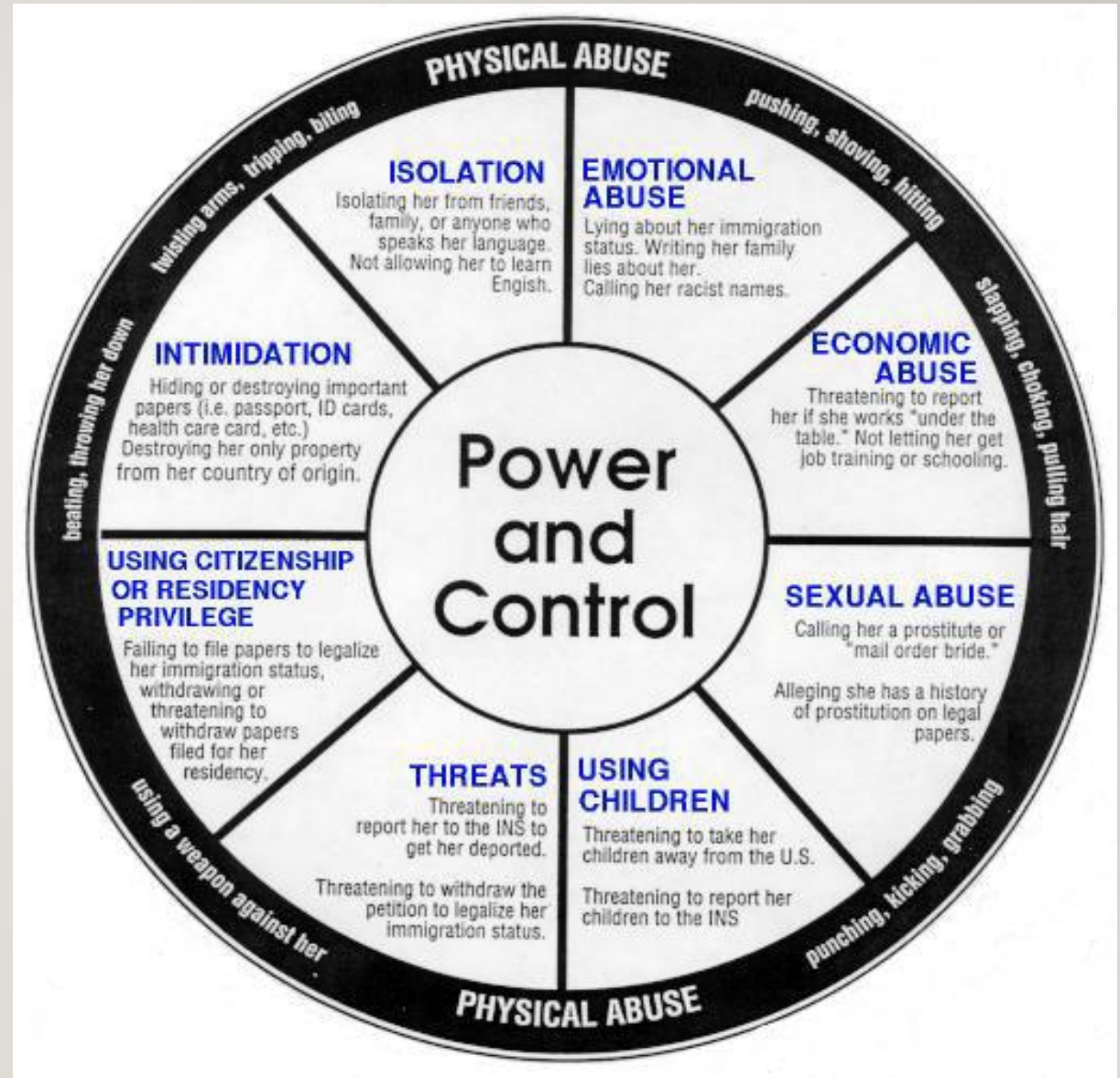
Trafficking in persons—also known as "human trafficking"—is a form of modern-day slavery. Traffickers prey on many types of people, often including individuals who are poor, unemployed, underemployed, or who lack the safety and protection of strong social networks. Victims are often lured under the false pretenses of good jobs and better lives, and then forced to work under brutal and inhumane conditions. Many believe that human trafficking is a problem that only occurs in other countries—but human trafficking also happens in the United States.

The T nonimmigrant status (or T visa) provides immigration protection to victims of severe forms of trafficking in persons who assist law enforcement in the investigation and prosecution of human trafficking cases.

AFTER THE DISCUSSION WE APPLY THE LAW

Domestic Violence: pattern of behavior which involves violence or other abuse by one person in a domestic relationship such as by spouse or intimate partner. Sample abuse includes physical, emotional, verbal, economic, and sexual

Human Trafficking: recruitment, transportation, transfer, harboring or receipt of persons by means of threat or use of force or other forms of coercion such as fraud or deception or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation (ie. Prostitution of others, other forms of exploitation, forced labor or services, slavery, or practices similar to slavery or servitude, removal of organs)



USE YOUR TRUTH, YOUR VOICE, TO CONNECT WITH OTHERS AND PROMOTE YOUR CAUSE

BY CHANNELING YOUR EXPERIENCE TO CONNECT WITH OTHERS, RESIST CATEGORIZING, YOU FIND THE EMPATHY YOU NEED TO VALIDATE THE VOICES OF THOSE WHO HAVE BEEN SILENCED

- RESULT: Allows you to care and feel, not just sympathize from a far.
- Plays/Stories also allow you to passively feel the pain of those you are tasked with representing. That is why, for those that do this work you must work in SELF-CARE because of the Vicarious Trauma you will inevitably experience

CAUSE: AWARENESS OF SEXUAL VIOLENCE IN COMMUNITY

