

Spring 2023

Duke Afghan Asylum Project (DAAP) Manual

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I. Introduction

A. *About Us*

The [Duke Immigrant and Refugee Project](#) (“DIRP”) is a law student organization that assists immigrants and refugees in the Triangle Area to gain a sense of security and control over their lives by focusing its efforts on research, resources, and outreach for this target population. Duke Law School’s [Immigrant Rights Clinic](#) (“IRC” or the “Clinic”) engages students in efforts to advance the rights of non-citizens through litigation, education and outreach, and policy advocacy.

B. *About the Duke Afghan Asylum Project*

The Duke Afghan Asylum Project (“DAAP”) seeks to help Afghan families who have recently been resettled in North Carolina and who need to seek asylum in the United States.

The project focuses on: (1) individuals who formerly worked or were associated with the U.S. government/military, (2) individuals who formerly worked or were associated with the Afghan government/military, and (3) the nuclear family members of those who fit into the foregoing categories. This project will provide students with an opportunity to help meet this urgent local need for legal services, while fulfilling their pro bono requirements.

Students will work in teams of three to perform initial client interviews, fill out the required asylum application (Form I-589), draft a client declaration, compile supporting documents, and compile country conditions. The prepared packets will then be placed with local nonprofit organizations for legal representation of these individuals. The expected time commitment is approximately 20 hours total for each student volunteer.

II. Contact Information

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III. Timeline

A. January: Volunteers get set up with the Project.

1. Tuesday, January 24, 6:00-7:30 PM (Room 4042) – DAAP Training Part I
 - Sign, date, and email [Duke Law Pro Bono Program's Confidentiality Agreement](#) to your DAAP coordinator before the training. You will get access to the Box folder once your DAAP coordinator receives your Confidentiality Agreement.
 - If you are unable to attend the training, watch the recording (link will be available in Box after the training) and email your assigned DAAP coordinator when you have finished watching the training.
2. Sunday, January 29, by 11:59 PM – Deadline to make *initial contact* with client to set a date, time, and mode of communication for first interview.

B. February and March: Client Interviews, Preparation of Form I-589, and Drafting of the Declaration

1. Sunday, February 12 by 11:59 PM – Deadline to complete *first* client interview.
2. Sunday, February 19 by 11:59 PM – Deadline to email all documents/ links to the documents in Box that need translation to your assigned DAAP coordinator.
3. Sunday, February 26 by 11:59 PM – Deadline to complete *all* client interviews.
4. Sunday, March 5 by 11:59 PM – Deadline to upload draft Form I-589 and declaration to client's Box folder.

5. Friday, March 17 – Check-In #1 - Deadline to meet with Jenny and Shane to discuss draft Form I-589 and declaration.
6. Tuesday, March 21, 5:00-6:30 PM (Room TBD) – DAAP Training Part II
7. Sunday, March 26 by 11:59 PM – Deadline to update Form I-589 and declaration in client’s Box folder.

C. April:

1. Tuesday, April 4 by 11:59 PM – Deadline to complete Table of Contents for Supporting Documents, Table of Contents for Country Conditions, and Country Conditions Compilation, and upload Tables of Contents, Country Conditions Compilation, and all supporting documents to client’s Box folder
2. Tuesday, April 11 – Check-in #2 – Deadline to meet with Jenny and Shane to discuss TOC, country conditions packet, and supporting documents
3. Friday, April 14 by 11:59 PM – Deadline to complete final edits and uploads of tables of contents, supporting documents, country conditions compilation, cover sheet, and draft closing letter to client’s Box folder
4. Monday, April 17 by 11:59 PM – Deadline to complete case closeout procedures.

IV. Anticipated Contents of Final Packet

- A. Form I-589
- B. Declaration
- C. Table of Contents of Supporting Documents
- D. Supporting Documents
- E. Table of Contents for Country Conditions
- F. Country Conditions Compilation
- G. Cover Sheet for Pro Bono Attorney
- H. Closing Letter

V. PROTOCOL

A. Client Interview Setup and Preparation; Interpreter Information

1. Select a member of your team to make initial client contact with potential client.
 - a. Reach out to the potential client by phone or messaging app to set a date and time for the initial client interview and determine the client's preferred method of communication (phone call, WhatsApp call, Zoom). Make initial contact **by January 29, 2023**.
 - b. **BY MESSAGE:** Send this text in the language of preference of your potential client. If the preferred language is not identified in the Spring 2023 Client Volunteer List spreadsheet or the pre-screening form, send all three:

(1) **English:** Hello. My name is [*student volunteer name*], and I am a law student working with the Duke Afghan Asylum Project. We would like to schedule a time to talk about your application and gather information. The call will be about two hours and can be over Zoom or WhatsApp. What days and times are you available from now until February 12?

//**AWAIT RESPONSE**//

To help us communicate, what is the best way to reach you - phone call, WhatsApp, email?

[*If preferred language unknown, ask:*] What is your preferred language?

//**AWAIT RESPONSE**//

We look forward to working with you!

(2) **Pashto:**

سلام!
زما نوم [name] دی. زه د حقوقو محصل یم او د ډیوک پوهنتون د افغان پناه غوښتنې له پروژې سره کار کوم. مونږ غواړو چې له تاسو سره ستاسو د غوښتنلیک په اړه خبرو کولو لپاره یو وخت وټاکو او معلومات ترلاسه کړو. دغه اړیکه به د زوم (Zoom) یا وټس آپ (WhatsApp) له لارې وي او نږدې دوه ساعته وخت به ونیسي. تاسو د فبروري تر ۱۲ مې نېټې په کومو ورځو او وختونو کې د اړیکې نیولو لپاره وخت لرئ؟

//**AWAIT RESPONSE**//

د دې لپاره چې له مونږ سره په افهام او تفهیم کې مرسته وکړئ، تاسو سره د اړیکې لپاره تر ټولو غوره وسیله څه ده؟ لکه تلیفوني اړیکه، وټس آپ، یا ایمیل/برېښنالیک؟

(If preferred language unknown, ask:)

تاسو په کومه ژبه خبرو کولو ته لومړیتوب ورکوئ؟

//AWAIT RESPONSE//

مونږ له تاسو سره کار کولو ته هیله من یو!

(3) Dari:

سلام. اسم من (name) است و من محصل حقوق میباشم که در پروژه پوهنتون دیوک برای پناهنده گان افغان کار مینمایم. ما میخواهیم تا با شما یک وقت برای صحبت نمودن در مورد درخواست شما و جمع آوری معلومات تعیین نمایم. تماس برای مدت دو ساعت بوده و میتواند از طریق زوم (Zoom) یا وټس اب باشد. کدام روز و زمان سر از امروز الی تاریخ 12 فبروری برای شما مناسب میباشد؟

//AWAIT RESPONSE//

برای تسهیل ارتباطات، کدام راه بهتر برای رسیدن به شما است- تماس تلفونی، وټس اب یا ایمیل؟

(If preferred language unknown, ask:)

زبان دلخواه شما برای صحبت چه است؟

//AWAIT RESPONSE//

به امید کار نمودن با شما هستیم.

(4) For Pashto and Dari, use [Google Translate](#) to review responses and to confirm date, time, and method of communication for the first interview. Dari is not on Google Translate, but Persian should help you. Pashto is available on Google Translate.

- c. BY PHONE: If you need an **interpreter** to communicate with your client on scheduling by phone, dial in an interpreter first and then connect with your client.

Interpreter services are below by order of recommendation:

(1) [REDACTED]

(2) [REDACTED]

- (3) [REDACTED]
2. If you have **ANY** questions ahead of the first client interview, please reach out directly to your DAAP coordinator with questions. Please remember that asking for help is part of good lawyering and team building!

B. Client Interviews, Form I-589, and Declaration

1. In preparation for your first client interview, review the (1) [Template Interview Plan](#), (2) [Tips for Working with Interpreters](#), (3) [Annotated Form I-589](#), (4) [Sample Redacted Declaration](#) and (5) your client's pre-screening form in Box.
2. Call the interpreter first (instructions under **V.A.1.c.** on Page 5) and then connect with the client using their preferred method of communication.
 - a. *Zoom or WhatsApp on computer*: Have your interpreter on your phone on speaker and place your phone next to the computer.
 - b. **Record the interview with client consent**. The Voice Memo app on a spare iPhone/iPad works well for this. If using Zoom, you can also use Zoom's record function.
3. Conduct the client interview. First client interview must be completed **by February 12**.
 - a. Follow the [Template Interview Plan](#) complete the following:
 - (1) Introduce yourselves and the Project,
 - (2) Review confidentiality,
 - (3) Get permission to record the interviews,
 - (4) Review the limited representation agreement and confirm the client's agreement and consent to provide /s/ signature on the agreement,
 - (5) Obtain information about the client's asylum claim to complete the [I-589](#) and to draft the client's declaration. Make sure someone on your team is taking notes.
 - b. **Evidence**: Collect from the client a copy of their identification documents - (1) Tazkera, Afghan National Identification Document (front and back); (2) Passport(s) (if any); and (3) I-94 Arrival/Departure Record (if any). Email all non-English documents for translation to your DAAP coordinator for

translation. Upload all evidence to your client's Box folder. Send identification documents to your DAAP coordinator for translation by **February 19, 2023**.

(1) Over the course of your interview(s), your client may mention evidence in their possession that could support their asylum claim. This includes photos, written threats from the Taliban, and other items. Ask for those items and upload them to Box. Send documents that need translation to your DAAP coordinator for translation as you receive them throughout the semester.

- c. **Complete all client interviews by February 26, 2023.** Do **not** hesitate to reach out to your DAAP coordinator with questions or thoughts that arise over the course of your client interviews.

C. Post-Interview Logistics and Check-in #1

1. Save all recordings and notes of your client interviews as well as the signed limited representation agreement in your client's Box folder.
2. Complete and upload the draft Form I-589 and draft declaration (template can be found [here](#)) and email your DAAP coordinator with links to the documents in Box by **March 5, 2023**.
3. After you have uploaded these documents to your Box folder, arrange a meeting with Jenny and Shane to review. The meeting can be in person or via Zoom. Email your DAAP coordinator with your team's availability and preferred way of meeting. This Check-in #1 meeting must occur by **Friday, March 17, 2023**.
4. Jenny will review and confirm that application and declaration are complete or will ask for additional clarification and/or edits.
5. The updated Form I-589 and draft declaration must be uploaded to Box by **March 26, 2023**.

D. Pro Bono Packet Compilation and Check-in #2

1. Save evidence documents in the client's Box folder. Documents may include Passport, I-94, Tazkera, marriage certificates, birth certificates, and any additional documentation collected from the client throughout the representation.
2. Tailor template Table of Contents Supporting Documents

3. Tailor template Table of Contents Country Conditions and Country Conditions Compilations to your client's claim. *NOTE: Team Country Conditions is working on updating the Country Conditions Compilations. We will share those resources with you at the second training on March 21, 2023.*
4. Upload the tailored TOCs, supporting documents, and country conditions compilation to your client's Box folder by **April 4, 2023**.
6. Schedule a meeting with Jenny and Shane to do a global review of the application packet. The meeting can be in person or via Zoom. Email your DAAP coordinator with your team's availability and preferred way of meeting. At this meeting, Jenny and Shane will review and make requests for final revisions as appropriate. We will also talk through what information should be included in the Cover Sheet that will be sent along with the packet to the pro bono attorney. We will also review closeout procedures. The Check-in #2 meeting must occur **by April 11, 2023**.
7. Requested edits and the Cover Sheet must be completed **by April 14, 2023**. *NOTE: The Cover Sheet form will be shared with you towards the end of the semester.*

E. Case Closeout

1. Upload the final versions of the Form I-589, declaration, TOCs, evidence (and corresponding translations), country conditions compilations, Cover Sheet, and draft Closing Letter to the Final Documents subfolder of your client's Box folder. The file names should be in this format: *mm.dd.yyyy_FirstName_LastName_DocumentName*. For example: 01.19.2023_Britney_Spears_I-589.
2. Review and complete the [Check-out Certification](#). Instructions on deleting temporary files from your computer can be found [here](#). **The deadline to complete close out procedures is April 17**. Upload your completed Check-out Certification [here](#). Email your DAAP coordinator with a link to your completed certification.

Thank you for all your assistance on helping folks apply for asylum!

VI. Deadlines Timetable

Deadline	Task	Upload Location
01/29 by 11:59 PM	Deadline to make <i>initial contact</i> with client to set a date, time, and mode of communication for first interview.	None, logistics
02/12 by 11:59 PM	Deadline to complete <i>first</i> client interview and upload recording.	Freestyle subfolder
02/19 by 11:59 PM	Deadline to send all documents that need translation to your assigned DAAP coordinator and upload.	Freestyle subfolder
02/26 by 11:59 PM	Deadline to complete <i>all</i> client interviews and upload recording.	Freestyle subfolder
03/05 by 11:59 PM	Deadline to upload draft Form I-589 and declaration to client's Box folder.	Freestyle subfolder
03/17	Check-In #1 - Deadline to meet with Jenny and Shane to discuss draft Form I-589 and declaration	None, meeting
03/26 by 11:59 PM	Deadline to update Form I-589 and declaration in client's Box folder	Final Documents subfolder
04/04 by 11:59 PM	Deadline to complete Table of Contents for Supporting Documents, Table of Contents for Country Conditions, and Country Conditions Packet, and upload Tables of Contents, Country Conditions Packet, and all supporting documents to client's Box folder	Freestyle subfolder
04/11	Check-in #2 – Deadline to meet with Jenny and Shane to discuss TOC, country conditions packet, and supporting documents	None, meeting
04/14 by 11:59 PM	Deadline to complete final edits and uploads of table of contents of supporting documents, supporting documents, and country conditions packet to client's Box folder	Final Documents subfolder
04/17 by 11:59 PM	Deadline to complete case closeout procedures.	Closeout Documents folder

Last updated: January 24, 2023

If you identify any errors in this Manual, please reach out to Jenny Kim at jkim@law.duke.edu.

Spring 2023 Duke Afghan Asylum Project
Client Packet Cover Sheet

BIOGRAPHICAL

Name	
A number	
Phone Number	
Email	
Address	
Client's Preferred Method of Communication/Availability	
Date of Entry	
Immigration Status	
Status Expiration Date	
Number of derivative applicants	

ASYLUM CLAIM(S) *Mark all the apply and fill in information.*

- Political opinion:
- PSG: Former association with the U.S. military/government [Role:] (*Example: interpreter*)
- PSG: Former association with the Afghan military/government [Role:]
- PSG: Family member of someone with former association with the U.S. military/government
[Relationship with former associate:] (*Example: sister*)
- PSG: Family member of someone with former association with Afghan military/government
[Relationship with former associate:] (*Example: husband*)
- Race/Ethnicity: (*Example: Tajik*)
- Religion: (*Example: Shi'a Islam*)

POTENTIAL BARS OR INELIGIBILITY

- Terrorism Related Inadmissibility Grounds (TRIG)
- Persecutor
- Particularly serious crime (conviction inside the U.S.)
- Serious non-political crime (commission outside of U.S.)
- Danger to national security
- Safe third country
- Firm resettlement

EXPLAIN POTENTIAL BARS/INELIGIBILITY:

Continue to Page 2...

CONTENTS OF PACKET:

- Form I-589
- Declaration
- Evidence Packet
- Country Conditions Compilation

ADDITIONAL COMMENTS: *(Examples: Unable to locate I-94 online, screenshot in list of Supporting Documents; May have claim for Race/Ethnicity as Tajik, but will need further exploring)*

TEAM MEMBERS:

- 1.
- 2.
- 3.

DATE COVER SHEET COMPLETED:

Once completed, upload to Final Documents folder in your client's Box folder.

Supervisor Reviewed Date:

CONFIDENTIAL