

THE IMPACTED IMMIGRATION LAWYER IN THE ERA OF TRUMP: EMPATHY, WELLBEING, AND SUSTAINABLE LAWYERING

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Caldwell's Deported Americans¹ invites the reader to enter a world of empathy for immigrants and their families. Her recommendations for more just judicial and legislative reforms stand in dark contrast to the reality in which immigrants find themselves today and the reality in which immigration lawyers now practice. Yet in the midst of this new era of immigration practice emerges a new generation of immigration lawyers of color—impacted immigration lawyers—whose lives directly reflect the immigrant communities they endeavor to serve. Whether immigrants themselves, or close to the familial immigration experience, the new generation of immigration lawyers' connection to the immigrant experience serves as a personal impetus for entering the practice of immigration law. This article explores the experience thrust upon the impacted immigration lawyer as a result of the Trump administration's overt anti-immigrant rhetoric and policies. Informed by inter-disciplinary analysis, this article highlights and uplifts the experiences of the impacted immigration lawyer and endeavors to

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1. BETH C. CALDWELL, DEPORTED AMERICANS: LIFE AFTER DEPORTATION TO MEXICO (2019).

develop best practices for sustainable lawyering and wellbeing of impacted immigration lawyers.

INTRODUCTION

“Que bueno, ya llegó Julia,”² exclaims my father as he hands me his cell phone. After over fifty years of hard labor, his hands look like fine artisanal leather; deep brown in color and cherished for its scars of character that highlight a laborer’s dedication to his family.

I have no idea who is on the other line as I enter our multi-generational home. My two-year-old daughter runs to me and smothers my kneecaps in lovely kisses. She has spent the day under my parents’ care while my husband and I work.

I have just worked over twelve hours, mostly responding to clients’ calls who are frantic, worried, and scared. DACA has just been rescinded by the Trump Administration, and by design, has wreaked havoc in the lives of underserved immigrant communities. The physical and emotional exhaustion weigh me down, but my workday is not over.

“Who is it?” I whisper to my father. “Tu primo, tiene una pregunta facil para tí.”³

The impetus for this essay began amidst a recurring discussion theme amongst immigration lawyers in Los Angeles during the Trump administration. The commonplace, “talking shop” before working group, coalition meetings, or MCLEs often descended into descriptions of feeling fatigued and overwhelmed by their immigration practice since the announcement of Trump as a presidential candidate. An additional trend emerged; immigration attorneys of color, close to the immigration experience—*impacted immigration lawyers*—were disproportionately reporting impacts on their wellbeing as a result of lawyering amidst the Trump administration’s attack on immigrants and detrimental immigration policy. Whether expressing feelings of exhaustion, compassion fatigue, or decreased emotional or physical wellbeing, it became clear that the privilege of “leaving work at work” does not exist for all lawyers.

For many lawyers who are members of the community they endeavor to serve, the impetus for lawyering often stems from having lived through or served as firsthand witness to the very injustice to which they now dedicate

2. “Oh good, Julia just got here.” (translation by author).

3. “It’s your cousin, he has an easy question for you.” (translation by author). In the practice of immigration law, there are hardly any “easy questions” left. Thanks to IRAIRA, complex case law, and circuit splits, each series of questions comes with a set of pre-questions, many of which come with triggering dates and miniscule exceptions. Very few “easy questions” exist, but many “heart breaking” answers remain.

their careers. For immigration lawyers practicing during the Trump Era—where little respect exists for even those in the highest of legal roles—the attacks on our immigrant client base can feel like attacks against an entire profession, particularly if you represent your own community.⁴

This article serves to uplift the experiences of Los Angeles-based immigration attorneys who identify as people of color from an immigrant background and practice through the lens of immigrant rights. It considers the disparate impact of Trump Era anti-immigration rhetoric and policy on the immigration attorneys of color close to the immigration experience. This article endeavors to highlight the double-edged sword of the impacted immigration lawyers through exploring the boundaries of empathy, impact on wellbeing, and the need for sustainable lawyering practices. It proposes systems of support for the impacted immigration lawyer throughout their legal education and extending through arc of their careers.

I. THE TRUMP ADMINISTRATION’S ATTACK ON IMMIGRANTS

Muslim Ban, DACA Rescission, “Build the Wall,” “Shit-hole countries”;⁵ these are just a few of the hallmark moments of the Trump Era rhetoric and resulting anti-immigrant policies. The practice of immigration law under the Trump administration became increasingly complex as xenophobic, draconian, and anti-immigrant policies replaced long-standing policies of prosecutorial discretion. It is not my purpose to present and analyze the entirety of Trump’s immigration policies—the important work of dissecting and critiquing the era of hate-motivated policy is one which I leave for another body of work.⁶ Rather my purpose is to describe a selection

4. See Z. Byron Wolf, *Trump’s Attacks on Judge Curiel Are Still Jarring to Read*, CNN (Feb. 27, 2018, 8:24 PM), <https://www.cnn.com/2018/02/27/politics/judge-curiel-trump-border-wall/index.html>.

5. See Amy B. Wang, *Trump Asked for a ‘Muslim Ban,’ Giuliani Says and Ordered a Commission to Do It ‘Legally’*, WASH. POST (Jan. 29, 2017, 12:32 PM), <https://www.washingtonpost.com/news/the-fix/wp/2017/01/29/trump-asked-for-a-muslim-ban-giuliani-says-and-ordered-a-commission-to-do-it-legally/>; Josh Dawsey, *Trump Derides Protections for Immigrants from ‘Shithole’ Countries*, WASH. POST (Jan. 12, 2018, 4:52 AM), https://www.washingtonpost.com/politics/trump-attacks-protections-for-immigrants-from-shithole-countries-in-oval-office-meeting/2018/01/11/bfc0725c-f711-11e7-91af-31ac729add94_story.html; *Supreme Court Overturns Trump Administration’s Termination of DACA*, NAT’L IMMIGR. L. CTR. (June 22, 2020), <https://www.nilc.org/issues/daca/alert-supreme-court-overturns-trump-administrations-termination-of-daca/>; John C. Moritz et al., *The Wall*, USA TODAY NETWORK, <https://www.usatoday.com/border-wall/> (last visited Feb. 2, 2021).

6. The phrase “hate-motivated” is strategically used to describe the policies of the Trump administration. For a more in-depth analysis of the origins of these policies, see JEAN GUERRERO, HATEMONGER: STEPHEN MILLER, DONALD TRUMP, AND THE WHITE NATIONALIST AGENDA (2020).

of some of the most pernicious rhetoric and policies that reverberated the immigration lawyer world—particularly for impacted immigration attorneys. In *Deported Americans*, Caldwell argues for a more empathetic and humane U.S. immigration system. Impacted immigration lawyers live the empathy that Caldwell endeavors to inspire in her book. Their empathy is one that is rooted in a personal and direct understanding of the Trump administration’s systemic and relentless attack on immigrants and immigration policy. As impacted immigration lawyers fight on behalf of their clients, communities, and families, it is precisely because of their empathy and the intersectional space they occupy that they feel the detrimental impact of Trump’s barrage against immigrants even more acutely.

A. *Dangerous and Demonizing Language*

Trump launched his campaign on the heels of attacking one of the most basic concepts of the United States: birthright citizenship.⁷ By launching the birther conspiracy theory of questioning then candidate Barack Obama’s citizenship,⁸ Trump foreshadowed a cornerstone of his future candidacy and presidency: portraying U.S. citizenship as a function of whiteness. His campaign trail relied on anti-immigrant language: illegals, aliens, anchor babies, “bad hombres.”⁹ The shameful U.S. political tradition of xenophobic scapegoating immigrants is nothing new.¹⁰ Yet Trump harkened nativism’s darkest corners in developing his campaign slogan of “Make America Great

7. U.S. CONST. amend. XIV, § 1 (“All persons born . . . in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”).

8. Michael Barbaro, *Donald Trump Clung to ‘Birther’ Lie for Years, and Still Isn’t Apologetic*, N.Y. TIMES (Sept. 16, 2016), <https://www.nytimes.com/2016/09/17/us/politics/donald-trump-obama-birther.html>.

9. Maya Rhodan, *Donald Trump Raises Eyebrows With ‘Bad Hombres’ Line*, TIME (Oct. 19, 2016, 10:02 PM), <https://time.com/4537847/donald-trump-bad-hombres/>.

10. A cursory analysis of the history of immigration law highlights the legislative and policy impact of scapegoating immigrants. See, e.g., Chinese Exclusion Act of 1882, ch. 126, 22 Stat. 58 (repealed 1943) (excluding Chinese immigrants from the United States and barring those already present from naturalization); FRANCISCO E. BALDERRAMA & RAYMOND RODRIGUEZ, *DECADE OF BETRAYAL* (2006) (discussing the Mexican Repatriation Program of the 1930s); *Korematsu v. United States*, 323 U.S. 214 (1944) (upholding placement of Japanese-Americans in internment camps during World War II); JUAN RAMON GARCÍA, *OPERATION WETBACK* (1980) (discussing the mass deportation of undocumented Mexican workers in 1954). And state law was no exception. See, e.g., Greaser Act, ch. 175, 1855 Cal. Stat. 217 (repealed 1937) (singling out unhoused Mexican citizens for regulation to control the burgeoning mining economy); Save Our State Initiative, Proposition 187, 1994 Cal. Stat. A-317, *invalidated by* League of United Latin Am. Citizens v. Wilson, 997 F. Supp. 1224 (C.D. Cal. 1997) (barring undocumented immigrants from accessing healthcare, public education, and other state services); Show Me Your Papers Law, S.B. 1070, 49th Leg., 2d Reg. Sess. (Ariz. 2010), *invalidated by* *Arizona v. United States* 567 U.S. 387 (2012) (encouraging racial profiling at regular traffic stops to check immigration papers).

Again,” doubling down on the subtext that the browning of America makes it worse.

A linguistic analysis of Trump’s speeches highlights three themes, which overtly frame immigrants as posing a threat to a fictionalized American way of life: immigrants as criminals, immigrants as freeloaders, and immigrants as dishonest.¹¹ However, a scholarly linguistic analysis is not needed to interpret the meaning and interpretation of his language choice; often the plain language presents a powerful message of anti-immigrant sentiment on its face. In January 2018, during a bipartisan meeting with a group of senators, Trump was reported to have remarked, “Why are we having all these people from shithole countries come here?”¹² The Washington Post reported that he was referring to El Salvador, Haiti, and African countries.¹³ Instead, Trump proposed more immigration from Norway, one of the whitest countries in the world.¹⁴

Trump’s portrayal of immigrants relied on perpetuating a direct link to criminality. He ignored all data pointing to the contrary, namely that foreign-born are less likely to commit crimes, particularly violent crimes.¹⁵ Instead, he proliferated the trope of the “Innocent American Victims” at the hands of the immigrant criminals. On June 16, 2015, Trump kicked off his campaign with one of his most quoted and insulting speeches that invoked the criminality of an entire nation:

When Mexico sends its people, they’re not sending their best. They’re not sending you. They’re not sending you. They’re sending people that have lots of problems, and they’re bringing those problems with us [sic]. They’re bringing drugs. They’re bringing crime. They’re rapists. And some, I assume, are good people.¹⁶

The fear mongering set the groundwork for one of the most infamous campaign promises and resulting rally chants of his campaign, “Build the

11. Erika Sabrina Quiñonez, (Un)Welcome to America: A Critical Discourse Analysis of Anti-Immigrant Rhetoric in Trump’s Speeches and Conservative Mainstream Media 49 (2018) (M.A. thesis, California State University, San Bernardino) (CSUSB ScholarWorks), <https://scholarworks.lib.csusb.edu/cgi/viewcontent.cgi?article=1710&context=etd>.

12. Dawsey, *supra* note 5.

13. *Id.*

14. According to the World Factbook, Norway is ethnically eighty-three percent Norwegian (North Germanic) and eight percent other European. CENT. INTEL. AGENCY, <https://www.cia.gov/the-world-factbook/countries/norway/> (Feb. 24, 2021).

15. WALTER A. EWING ET AL., AM. IMMIGR. COUNCIL, THE CRIMINALIZATION OF IMMIGRATION IN THE UNITED STATES 4-9 (2015), https://www.americanimmigrationcouncil.org/sites/default/files/research/the_criminalization_of_immigration_in_the_united_states.pdf.

16. *Full Text: Donald Trump Announces a Presidential Bid*, THE WASH. POST (June 16, 2015, 10:03 AM), <https://www.washingtonpost.com/news/post-politics/wp/2015/06/16/full-text-donald-trump-announces-a-presidential-bid>.

Wall.”¹⁷ Trump painted an image of criminals flowing into the United States from the border, and the wall was a solution. Once again, Trump ignored the fact that increased militarization and fortification of the U.S. southern border preceded him by over twenty years.¹⁸ Operation Gatekeeper, under the Clinton Administration, funneled in military grade equipment, expanded fencing, and increased the number of Border Patrol agents along the California-Mexico border.¹⁹ The plan, rooted in “control through deterrence,” ushered in what advocates and scholars have deemed the beginnings of a human rights calamity.²⁰ Rather than deterring migration, Operation Gatekeeper forced migrants to attempt to enter the United States through more dangerous desolated areas of the border.²¹ Bill Ong Hing notes Operation Gatekeeper’s devastating impact on deaths along the southern U.S. border.²²

Indeed, Operation Gatekeeper did not serve its goal of deterrence, nor would Trump’s wall have stemmed the flow of undocumented immigration. Rather, Trump’s wall did indeed serve the true goal of fanning the flames of anti-immigrant xenophobia. The chants of “Build the Wall”—in three short words—reminded his supporters of the doomsday scapegoating at the center of his policy—that immigrants who cross the southern border were to be feared and protected against. Even as data indicated that total undocumented immigration was at its lowest point in a decade, the call for the “wall” continued.²³ For the wall was not actually about deterring immigration, it was about erecting a physical symbol of exclusion. Trump’s wall was never proposed to be built along the U.S.-Canada border. Quite the contrary, one U.S.-Canada border town marks the border with a row of large potted petunias, and their town library straddles the international boundary line.²⁴

17. *User Clip: Trump Rally (Build the Wall Chant)*, C-SPAN (Jan. 9, 2017), <https://www.c-span.org/video/?c4643444/user-clip-trump-rally>. The other chant “Lock her up,” capitalized on and rooted in sexism, was an attack against his presidential rival, Hillary Clinton. See Chris Cillizza, *How ‘Lock Her Up!’ Just Blew Up*, CNN (Jan. 10, 2020, 10:52 AM), <https://www.cnn.com/2020/01/10/politics/hillary-clinton-donald-trump-justice-department/index.html>.

18. See Bill Ong Hing, *The Racism and Immorality of the Operation Gatekeeper Death Trap*, UNIV. OF OXFORD (Apr. 13, 2015), <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2015/04/racism-and>.

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.* In 1994, less than thirty migrants died along the border. Four short years later, in 1998, deaths had increased to 147; in 2001, there were 387 deaths; in 2012, 477 bodies were found.

23. Jeffrey S. Passel & D’Vera Cohn, *U.S. Unauthorized Immigrant Total Dips to Lowest Level in a Decade*, PEW RSCH. CTR. 5 (Nov. 27, 2018), <https://www.pewresearch.org/hispanic/2018/11/27/u-s-unauthorized-immigrant-total-dips-to-lowest-level-in-a-decade/>.

24. Jess Bidgood, *Where U.S.-Canadian Border Is Marked by Petunias, Not a Wall*, N.Y. TIMES (June 12, 2018), <https://www.nytimes.com/2018/06/12/us/canada-usa-border.html>.

Where was Trump's cry to erect a wall in this border town? The silence speaks volumes, and the answer lies at the base of Trump's immigration policies: brown and black immigrants were to be feared, while white immigrants from Norway or even Canada were to be welcomed.

B. Draconian and Xenophobic Immigration Policies

The demonizing of immigrants and fearmongering on the campaign trail set the stage for the barrage of the Trump administration's immigration policies.

Some of the draconian immigration policies righteously received wide media coverage and massive public outcry. Consider Trump's first "Muslim Ban," which he signed on his sixth day in office.²⁵ The "Muslim Ban" was a shock to the system of the immigration world. Protests and outcry of the general public emerged quickly at airports nationwide.²⁶ Soon thereafter, a unique phenomenon emerged. Lawyers flooded airports nationwide in protest and an attempt to advocate for travelers from the targeted Muslim majority countries.²⁷ Images emerged of lawyers with laptops sprawled across arrival lobby floors, makeshift desks in airport lobbies, and cardboard signs that offered free legal help.²⁸ Some sources reported, "[m]ore than 4,000 lawyers are working in airports around the country in the wake of an executive order."²⁹ Although courts blocked the first two versions of this ban, with the Supreme Court upholding a narrower version of the third ban, the message sent was clear: certain immigrants—in this case, Muslims—and the system of immigration itself are under attack.³⁰

On September 5, 2017, then Attorney General Jeff Sessions announced the rescission of the Deferred Action for Childhood Arrivals program

25. Exec. Order No. 13,769, 82 Fed. Reg. 8977 (Feb. 1, 2017).

26. For a series of photos highlighting airport demonstrations nationwide, see James Doubek, *Photos: Thousands Protest at Airports Nationwide Against Trump's Immigration Order*, NPR (Jan. 29, 2017, 5:30 AM), <https://www.npr.org/sections/thetwo-way/2017/01/29/512250469/photos-thousands-protest-at-airports-nationwide-against-trumps-immigration-order>.

27. Jonah Engel Bromwich, *Lawyers Mobilize at Nation's Airports After Trump's Order*, N.Y. TIMES (Jan. 29, 2017), <https://www.nytimes.com/2017/01/29/us/lawyers-trump-muslim-ban-immigration.html>.

28. Britain Eakin, *Lawyers Clamor for Access to Travelers Detained Under Muslim Ban*, COURTHOUSE NEWS SERV. (Jan. 30, 2017), <https://www.courthousenews.com/lawyers-clamor-for-access-to-travelers-detained-under-muslim-ban/>.

29. Lucy Westcott, *Thousands of Lawyers Descend on U.S. Airports to Fight Trump's Immigrant Ban*, NEWSWEEK (Jan. 29, 2017, 2:11 PM), <https://www.newsweek.com/lawyers-volunteer-us-airports-trump-ban-549830>.

30. For a timeline of the travel ban, see *Timeline of the Muslim Ban*, ACLU WASH., <https://www.aclu-wa.org/pages/timeline-muslim-ban> (last visited Feb. 3, 2021).

through an executive order.³¹ The U.S. Supreme Court would eventually overturn the rescission on June 18, 2020, but the wake of destruction had wreaked its havoc on the lives of Dreamers, their loved ones, and their allies.³² The Trump administration's message was loud and clear: no one is safe, not even the group of immigrants that the overwhelming majority of Americans support.³³

In March 2017, the Trump administration began to roll out one of the vilest policies of its immigration platform: Family Separation. The Trump administration capitalized on this essence of humanity: to protect one's children. According to Reuters, beginning as early as March 2017, discussion began to enact a plan to separate mothers from their children if detained as they attempted to enter the United States.³⁴ On May 7, 2018, the Attorney General Jeff Sessions announced the implementation of a "zero tolerance policy" that accelerated family separation.³⁵ The policy marked a dramatic shift in immigration policy, which previously maintained family unity as families fought their cases before the Executive Office of Immigration Review.³⁶ Instead, Family Separation dictated that the government remove the children from parents' custody.

The outcry against the Family Separation policy was widespread. Images that shocked the conscience began to emerge of children in foil blankets or toddlers crying with tears running down their cheeks, sensing they would soon be stripped from their mother's arms.³⁷ In a viral audio clip,

31. Memorandum on Rescission of Deferred Action for Childhood Arrivals (DACA), DEP'T OF HOMELAND SEC., (Sept. 5, 2017), <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>.

32. See Dep't of Homeland Sec. v. Regents of the Univ. of Cal., 140 S. Ct. 1891, 1916 (2020).

33. See Jens Manuel Krogstad, *Americans Broadly Support Legal Status for Immigrants Brought to the U.S. Illegally as Children*, PEW RSCH. CTR. (June 17, 2020), <https://www.pewresearch.org/fact-tank/2020/06/17/americans-broadly-support-legal-status-for-immigrants-brought-to-the-u-s-illegally-as-children/> (indicating that three quarters of Americans support a permanent path for Dreamers).

34. Julia Edwards Ainsley, *Exclusive: Trump Administration Considering Separating Women, Children at Mexico Border*, REUTERS (Mar. 3, 2017, 12:13 PM), <https://www.reuters.com/article/us-usa-immigration-children/exclusive-trump-administration-considering-separating-women-children-at-mexico-border-idUSKBN16A2ES>.

35. Jeff Sessions, Attn'y Gen., Dep't of Just., Remarks Discussing the Immigration Enforcement Actions of the Trump Administration (May 7, 2018), <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-discussing-immigration-enforcement-actions>.

36. See Stipulated Settlement Agreement at 7-8, *Flores v. Reno*, No. CV 85-4544 (C.D. Cal. Jan. 17, 1997), https://www.aclu.org/files/pdfs/immigrants/flores_v_meese_agreement.pdf (requiring the INS to provide minors in custody "contact with family members who were arrested with" them).

37. 'All I Wanted to Do Was Pick Her Up.' How a Photographer at the U.S.-Mexico Border Made an Image America Could Not Ignore, TIME (June 19, 2018, 10:13 AM), <https://time.com/longform/john-moore-getty-zero-tolerance-immigration-policy/>.

published by ProPublica, the voices of Central American children held in jail-like cages cry out for their “mami” and “daddy!”³⁸ Border Patrol agents can also be heard making jokes at the expense of the childrens’ anguished voices.³⁹

Amidst public outcry, on June 20, 2018, Trump signed an Executive Order that on its face halted Family Separation.⁴⁰ Six days later, on June 26, 2018, U.S. District Court Judge Dana Sabraw issued a preliminary injunction that ordered the government to return all children under five to their parents within fourteen days and that older children be returned within thirty days.⁴¹ While the government initially underreported the number of separated children, a report to the federal court tallied 5,460 since July 2017.⁴²

However, immigration advocates recognized that irreversible damage had been done and justifiably continued their critique of the Trump administration’s actions: “The executive order gives only the appearance of halting the thousands of family separations that Trump initiated and does not address the trauma that children and parents have already endured.”⁴³ Physicians for Human Rights (PHR) conducted an investigation based on psychological evaluations of separated asylum-seeking parents and children. PHR concluded that “[t]he U.S. government’s treatment of asylum seekers through its policy of family separation constitutes cruel, inhuman, and degrading treatment and, in all cases evaluated by PHR experts, constitutes torture.”⁴⁴ The traumatic legacy of separation is one that will surely be felt for a lifetime by the families who survived it. One father notes that when he was reunited with his young daughter after nearly ten months apart he felt “his soul ache.”⁴⁵

38. Ginger Thompson, *Listen to Children Who’ve Just Been Separated from Their Parents at the Border*, PROPUBLICA (June 18, 2018, 3:51 PM), <https://www.propublica.org/article/children-separated-from-parents-border-patrol-cbp-trump-immigration-policy>.

39. *Id.*

40. *Id.*

41. *Ms. L. v. U.S. Immigr. & Customs Enf’t*, 310 F. Supp. 3d 1133, 1149 (S.D. Cal. 2018). (text available at: <https://www.politico.com/f/?id=00000164-3f39-d1bc-afef-7fbbdf010001>)

42. Elliot Spagat, *Tally of Children Split at Border Tops 5,400 in New Count*, PBS NEWS HOUR (Oct. 25, 2019, 10:54 AM), <https://www.pbs.org/newshour/nation/tally-of-children-split-at-border-tops-5400-in-new-count>.

43. Marie McIntosh, *Family Separations Will Continue Despite Trump Executive Order, Until Overzealous Prosecutions and Detention End, Says ILRC*, ILRC (June 20, 2018), <https://www.ilrc.org/family-separations-will-continue-despite-trump-executive-order-until-overzealous-prosecutions-and>.

44. HAJAR HABBACH ET AL., “YOU WILL NEVER SEE YOUR CHILD AGAIN”: THE PERSISTENT PSYCHOLOGICAL EFFECTS OF FAMILY SEPARATION 5 (2020) <https://phr.org/wp-content/uploads/2020/02/PHR-Report-2020-Family-Separation-Full-Report.pdf>.

45. For a full account of “Ricardo and Luna’s” separation, including video and audio, see Ashoka Mukpo, *When I Saw Her I Felt My Soul Ache’: A Father Is Reunited With His Four-Year-*

Additional “milestones of hate” in Trump’s barrage against immigrants and immigration are numerous.⁴⁶ While some of these polices have received public attention, others have fallen through the cracks of mainstream media yet accumulate to wreak havoc nonetheless. From the public charge rule, to the enactment of quotas for immigration judges, to the systematic attack on asylum, the impact felt by immigrant communities and impacted immigration attorneys are cumulative and overwhelming.

II. WHO IS THE IMPACTED IMMIGRATION LAWYER?

I braced myself as I picked up my father’s cellphone. As the only lawyer in our very large extended family, these calls are too familiar.

Although I arrive home ready to be a mom, a daughter, a wife—my family and my community calls for me to stay on the clock.

“Hola, Prima? I knew you would help me”

I began to share the experience described above and throughout this article—namely, the experience of being the trusted legal resource for my family, neighbors, and community members. This is a role where the stakes were high, when the person on the other side of the consultation was a loved one, a family member, a neighbor, spouse, or even yourself. In these moments, a hegemonic lawyer framework calls upon all the reasons a solid and trusted referral would be best: ethical considerations, interpersonal dynamics, conflicts of interest, to name a few.⁴⁷ For some impacted immigration lawyers, these thoughts are immediately followed by the Rebellious Lawyering self that rises to the challenges of the community needs.⁴⁸ The lawyer who acknowledges their limitations, but does not sell themselves short, to quite the contrary pushes their boundaries of excellence for the benefit of the most underserved communities—the communities from which we call our own.

The more I shared my story, the more my colleagues shared their own similar experiences. My Vietnamese colleague was the go-to immigration attorney for her extended family. My dear friend from law school and a

Old Daughter After Nearly 10 Months Apart, ACLU (Oct. 2, 2018), <https://www.aclu.org/issues/immigrants-rights/immigrants-rights-and-detention/when-i-saw-her-i-felt-my-soul-ache>.

46. Many communities have been on the receiving end of Trump’s attack on policies. See *Trump’s Timeline of Hate*, HUM. RTS. CAMPAIGN, <https://www.hrc.org/resources/trumps-timeline-of-hate> (last visited Feb. 3, 2021) (presenting an overview of the attack on LGBTQ rights).

47. See, e.g., MODEL RULES OF PRO. CONDUCT r. 1.7(a)(2) (AM. BAR ASS’N 2020) (“A concurrent conflict of interest exists if . . . there is a significant risk that the representation of one or more clients will be materially limited . . . by a personal interest of the lawyer.”).

48. GERALD P. LÓPEZ, *REBELLIOUS LAWYERING: ONE CHICANO’S VISION OF PROGRESSIVE LAW PRACTICE* (1992).

formidable immigration defense lawyer shared an almost exact experience of being contacted by her cousin. My Nigerian colleague shared about her mother bringing people to her home—akin to a walk-in clinic. We shared these stories with empathy and compassion, but also as a method of venting. The more we shared with each other, the more we realized we were all in the same boat. This should come as no surprise. For years, first generation lawyers have served as the sources of information and power brokers for their families. Yet something was different about this moment in time—a moment when not only immigrants but the actual rule of law felt under attack.

What first began as conversations between like-minded-colleagues, soon emerged into a series of discussion points that centered on the moment in history in which we found ourselves practicing. As we discussed the fast-changing draconian immigration policies of the Trump administration, a dialogue emerged surrounding empathy, wellbeing, and sustainability as immigration lawyers. I noticed a trend emerged. Attorneys of color, close to the immigration experience—attorneys who I refer to as impacted immigration attorneys—were not simply “leaving work at work.”

The impacted immigration lawyer is one who lawyers from a space of immigrant rights. The impacted immigration lawyer answers the call for help, whether it be from a paying client or a cousin’s phone call at the end of a long workday.

As Trump relentlessly continued his anti-immigrant rhetoric and policies, I began to formulate questions and take note of the experience of the impacted immigration attorneys in my community where I practiced. *How has the Trump Era’s over anti-immigrant policy and rhetoric impacted immigration attorneys? What are the experiences of immigration attorneys who identify as people of color close to the immigration experience during the Trump Era? Is the well-being of impacted immigration attorneys being compromised? Over concern of maintaining a community of practice of like-minded immigration attorneys—those dedicated to immigrant rights, those who lawyer with empathy and compassion, those for whom lawyering is rooted in social justice—I began to concern myself with wellbeing and sustainability. Could we—the impacted immigration lawyers—continue at this rate? Is this sustainable? What practices existed to support the sustainability and wellbeing of the impacted immigration lawyer?* I asked these important questions for my fellow impacted immigration lawyers as much as I did for myself.

III. THE DOUBLE-EDGED SWORD

The more I began to explore the questions I posed for myself, the more I likened the experience of being an impacted immigration attorney as

yielding a double-edged sword in our fight for immigrant rights. For this generation of culturally and linguistically competent immigration lawyers, the experience of a double-edged sword as immigration practitioners during the Trump Era is one filled with power, privilege, and costs.

One edge of the sword yields power for the impacted immigration lawyer. The power of culturally and often linguistic competence that uplifts so many lawyering abilities to fight for your clients. Impacted immigration attorneys are able to develop rapport and cultural understandings essential to zealous advocacy on behalf of their clients under the complex Immigration and Nationality Act.

A. Empathy

Just as powerful as cultural and linguistic competence is the ability for impacted immigration lawyers to empathize with their clients. According to the American Psychological Association, empathy is “understanding a person from his or her frame of reference rather than one’s own, or vicariously experiencing that person’s feelings, perceptions, and thoughts.”⁴⁹ There is power in empathizing with your client as an impacted immigration attorney. Empathy allows impacted immigration lawyers to understand their client’s frame of reference as they attempt to normalize their immigration status amidst the barrage of highly publicized and omnipresent attacks against immigrants and immigration policy. As a result of their lived experiences, the immigration attorneys may be able to even reflect on their own, or a loved one’s, experience in the immigration process. By having “walked in their shoes,” they may be able to help develop unique strategies for developing their case before the United States Immigration Services or the Executive Office of Immigration Review.

Consider the example of an impacted immigration lawyer, Eva, who recounted her story during a “case review” session of a local bar association’s monthly member meeting. She represented her client, Mario, in his application for a waiver of the inadmissibility bar.⁵⁰ The “I-601 Waiver” was nothing new for her; she had filled hundreds of successful cases. However, this case posed a special challenge and was her first to file in the Trump administration’s reign of terror.⁵¹

49. *APA Dictionary of Psychology*, <https://dictionary.apa.org/empathy> (last visited Feb. 3, 2021).

50. INA § 212(a), 8 U.S.C. § 1182(a); see also *Application for Waiver of Grounds of Inadmissibility (USCIS Form I-601)*, U.S. CITIZENSHIP AND IMMIGR. SERVS. (Jan. 27, 2020), <https://www.uscis.gov/sites/default/files/document/forms/i-601-pc.pdf>.

51. In the days immediately prior to and after Trump took office, immigration offices saw an increase in consultations, calls, and anxiety on behalf of clients and potential clients. Adam

As Eva and Mario developed a plan to gather evidence to show extreme hardship to him if his wife had to leave the country, she noticed Mario hesitate. Mario was the U.S. citizen and had to demonstrate his suffering through evidence to submit to the USCIS officer. Throughout the interview, Mario struggled to think of evidence and examples to demonstrate the hardship. In the intake interview, which included Mario and his wife, Socorro, the hardship was clear. Mario had major, life-threatening ailments, and his wife was his main caretaker. The lawyer recalled her client almost giving up hope as he struggled to develop his evidence plan.

Mario reminded my colleague of her father. Both were laborers who dedicated their lives to hard work for their families. Both had faced and overcome hardships their entire lives—extreme poverty, abusive childhoods (yet they would never label what they endured as abuse), and a stoic yet kind demeanor. Eva recalled that Mario, like her father, was deeply emotional. Each time she brought up the prospect of Socorro not being by his side in the United States, tears flooded his eyes. Yet he did not have the language, at times, to express his emotions in words—an essential skill that lied at the heart of his wife’s case and something he would need to develop.

Eva continued sharing about how she pressed her client gently but firmly to elicit more content for his declaration to later bolster with evidence. He would often and suddenly during meetings say, “*Pues, me regreso al rancho con mi mujer!*”⁵² This, too, was something she had heard her father exclaim for many years—romanticizing life on the *rancho* was nothing new for her.

With other clients, once they signed the retainer, she would have referred them to a culturally and linguistically competent therapist to help the client explore the emotions that many people struggle to articulate. She knew she would eventually refer him to a therapist but sensed he tittered on the edge of giving up the case. She understood her father’s generational and cultural stigma against mental health services and therapy. She saw the same stigma in Mario. When she gave the example that other clients have found speaking to a therapist helps, he responded, “*Yo no estoy loco.*”⁵³ Instead of her standard practice of referring to therapists early in her representation, she waited to further develop rapport with her client.

She crafted questions for him based on scenarios she had witnessed her entire life with her father, *tios*, and community members. Questions that elicited deeply profound answers based on a unique cultural understanding,

Chandler, *What It’s Like to Be an Immigration Attorney in the Final Weeks Before the Trump Presidency*, THE ATLANTIC (Dec. 5, 2016), <https://www.theatlantic.com/business/archive/2016/12/immigration-lawyers-trump/509585/>.

52. “Well, then, I’ll go back to live on the ranch with my wife!” (translation by author).

53. “I’m not crazy.” (translation by author).

which she shared with her client. The approach she took was not the most efficient. It took time, patience, and lots of emotional labor.⁵⁴ But the empathy she felt for her client—as an impacted immigration lawyer—required this approach. Before her was Mario, her client, but she understood him and felt his pain and fear. In him, she saw her father, her *tío*; she saw her community. They, like Mario, require lawyering skills rooted in an approach that relies on deep empathy and lived experience; something that could not be taught even in the best law school by the best professors.

My colleague began the story during case rounds to actually vent about how long her I-601 cases were taking and to seek best practices from other solo practitioners about efficiency. What she demonstrated was the power of her empathetic approach to lawyering—an approach that relied on her experience as the daughter of immigrants.

As my colleague described the time she expended on this case, other attorneys scoffed at her approach: *Too much time! Are you charging a flat rate?! Just refer them to the therapist. That's not our job. That's just how "they" are!*⁵⁵

As I listened to these comments, Eva and I locked eyes for a short moment. We were the only two impacted immigration attorneys in the small group. In that moment, our identities were revealed as impacted members of a shared community, the same community as Mario. As Montoya would recognize, our *mascaras* had dropped and our *trenzas* were quickly becoming *greñas* as our colleagues revealed themselves as being very un-impacted.⁵⁶ My mind raced: *"They?! They who? Mexicans? Immigrants? Men? Poor folks?"* Amidst the scoffs, I completely understood what she did during her representation. Yes, she took more time to prepare her client, and time is precious. As I listened deeply to her account, I empathized with her. I saw that power in her patience and understanding. I understood the strength it took to eschew the hegemonic norms of lawyering and listen to her heart. I was also the only other impacted immigration lawyer in our small group.

In the end, Mario did not develop profound emotional intelligence overnight. But he did see a therapist. Eventually he opened up to the therapist. He began to develop his own examples of hardship that no one ever thought about. He became an essential part of his own successful case.

54. For a discussion of the lawyer as emotional labor, see Sofia Yakren, *Lawyer as Emotional Laborer*, 42 U. MICH. J.L. REFORM 141 (2008).

55. I found this comment particularly troublesome. The “they” comment highlighted the insider/outsider.

56. For a rich discussion of resisting the tensions of cultural assimilation in high education and the law, see Margaret E. Montoya, *Mascaras, Trenzas, y Greñas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse*, 17 HARV. WOMEN'S L.J. 185, 216 (1994).

Perhaps most importantly, my colleague's empathy created the space for Mario to grow into an integral and active member of his case. The trauma of the immigration system is real and palpable—just visit any USCIS waiting room, EOIR hearing, or detention center to confirm my point. Her empathy made a traumatic situation less traumatic, and for Mario, I venture to say, humanizing.

Empathy prevailed as a winning tool in this case. It influenced patience and understanding to triumph over frustration and judgment. It allowed my colleague to understand Mario's frame of reference and experience and ultimately elevated her lawyering beyond that of the lawyers who scoffed and criticized her approach. In this instance, empathy sharpened the edge of the sword that helped her fight on behalf of her client and served as an essential part of the impacted immigration lawyer's toolkit.

B. Wellbeing

While the empathy example described above highlights the powerful side of the impacted immigration lawyer's sword, another side exists. The other side of the very same sword pierces the impacted immigration lawyer's armor often yielding detrimental impacts on their wellbeing. This is particularly true during moments of state-sponsored xenophobia, such as during Trump's relentless attack against immigrants and immigration policy. The impacted immigration lawyer is racialized and experiences the attacks doubly, both as a member of the community that is being targeted and as the professional advocate who must work within and against these immigration policies. The impacted immigration lawyer is someone who is directly impacted by the draconian policies and anti-immigrant attacks. For this lawyer, the privilege to "leave work at work" is often not viable, which can be detrimental to their wellbeing.

For the impacted immigration attorney, work follows them home like an unwelcomed rain cloud ready to unleash at any moment. I experienced this phenomenon during the first months of the Trump presidency. Six days prior to the DACA rescission announcement, my Southwestern Law School Community Lawyering Clinic students and I cut the ribbon on a new legal clinic that would serve the legal needs of the students at California State University, Northridge.⁵⁷ As the inaugural semester, we hoped for a slow but steady first semester and planned for a large percentage of our caseload as DACA cases—as having been identified as a major need by the student

57. *Legal Clinic to Help Immigrant CSUN Students Opens for Work*, L.A. DAILY NEWS (Aug. 30, 2017, 11:37 PM), <https://www.dailynews.com/2017/08/30/legal-clinic-to-help-immigrant-csun-students-opens-for-work/>.

leaders. With the DACA rescission announcement, our clinic went from “zero to one hundred miles per hour” in six days. We immediately changed gears to focus on efforts on filing DACA renewals and were successful in hosting large-scale legal clinics with pro bono attorneys.⁵⁸

We were ready for the legal work and the challenging timelines. What we were not prepared for was the emotional labor required of empathetically representing our clients whose lives had just turned upside down. As a professor, I focused on trauma-informed lawyering to help support our clients. I built the capacity of myself and my law students to support our client’s wellness. We had referrals for the free on-campus counseling center at the ready. We encouraged students to seek out their services as well as the variety of wellness services on campus.

What I was not ready for was the detrimental impact on my own wellbeing. As a woman of color from a working-class immigrant background, this moment felt personal. I began to think constantly about work. I developed headaches and backaches. I skipped meals to add in extra meetings with clients. I stopped exercising and spent late nights working. I spent less time with my family and more time at work. When I was with my family, I was thinking about work or my clients. I began constantly checking my emails for updates or advisories on more immigration policy changes. I became easily bothered and irritable. I began drinking an unhealthy amount of caffeine during the day and drinking alcohol on a nightly basis, which was out of the norm for me.

When I did take breaks or prioritize time for myself and my family, I struggled with feelings of guilt. I understood firsthand what my clients were experiencing. I recalled the emotions that I had experienced just a few years earlier with my own loved one as they lived as an undocumented immigrant. Fear, depression, frustration, and anger are just some of the emotions I painfully, empathetically recalled. This empathy fueled my focus on work and dedication to my clients. Soon, I would feel the painful side of the impacted immigration lawyer’s double-edged sword.

At the time, I did not recognize the rapid detrimental impact on my wellbeing. In retrospect, I was living amidst a state of stress, anxiety, and even depression. I lived like this for months, eventually taking a toll on my relationships with family. My dear husband tried his best to encourage me gently to return to my healthier ways. Despite his carefully crafted and loving suggestions to engage in self-care, he felt my wrath in response. The detriment to my family relationships extended beyond my husband. One

58. Nina Agrawal, *As Deadline Looms, Legal Service Providers Ramp Up DACA Renewal Efforts*, L.A. TIMES (Oct. 2, 2017, 12:45 PM), <https://www.latimes.com/local/lanow/la-me-ln-daca-renewal-legal-clinic-20170929-story.html>.

evening, my parents, who usually never directly give advice, shared that they were worried I was spending too much time at work and not enough time with family. Their advice did not go over well; I turned the tables and yelled that they were constantly working during my childhood and questioned their moral authority to judge me. In retrospect, I was not ready to receive the thoughtful and loving advice my family was providing me. Rather than receiving their loving advice, their words stung as if salt rubbed in the wounds caused by the double-edged sword.

In retrospect, two moments served as a jolt to my system that helped me recognize unhealthy and unsustainable patterns that I had developed. First, at an immigration working group meeting, two colleagues and I recounted the various stress and ailments we were experiencing amidst Trump's ever-changing draconian immigration policies. We were all impacted immigration attorneys. As they shared feeling overwhelmed by work, disrupted sleep patterns and constantly worrying about the next change in immigration policy to come down the pike; in them and their experiences, I saw myself. We questioned how long we could continue at this rate. We questioned whether our current practice was sustainable—it was not.

The second moment was a straight arrow to my heart. After an entire week of late work nights, arriving home after my daughter's bedtime, I arrived home just in time to put her to bed. My three-year-old daughter was so happy. She clung to me and cried large emotional tears. "Mami, I missed you. Thank you for coming home and loving me again." These words are painfully recorded in my journal, which I pulled out of retirement that night, as an effort to seek a change. My heart ached, and I knew my patterns of long work hours and being singularly, hyper-focused on work had to change—for my wellbeing, for my familial relationships, and for the longevity of my career.

My drive to work harder, longer, and help more young immigrants was rooted in empathy. It came from a place of deep understanding of the pain, fear, and anxiety my clients were experiencing. I understood their tears and anger. I shed those same tears and felt the same anger just a few years earlier. While my empathy pushed me to create and innovate alongside the immigrant community I served, it also pushed me into unhealthy patterns that detrimentally impacted my wellbeing. Patterns that challenged my mental and physical health, relationships with loved ones, and ultimately the longevity of my career. These patterns needed to be identified, disrupted, and replaced. The double-edged sword of empathy needed to be melted down and re-forged into a sword and a shield; recreated into the impacted attorney's weapons that were both offensive and protective.

IV. WELLBEING & SYSTEMS OF SUPPORT FOR THE IMPACTED IMMIGRATION LAWYER

The more I opened up about my experience with fellow impacted immigration attorneys, the more the patterns of negative impact on wellbeing became apparent. I began to question what practices of wellbeing and mental health wellness were essential for the impacted immigration attorney practicing during the Trump era and beyond. I endeavored to create sustainable lawyering practices for impacted immigration lawyers in order to support physical and mental health as well as avoid burnout and increase longevity in our chosen careers.

I began with something that was both deceptively easy and daunting, speaking candidly about my experiences. I shared with fellow impacted immigration attorneys about my experience feeling overwhelmed, stressed and the impact on my overall wellbeing. Importantly, I encouraged fellow impacted immigration lawyers to reflect and share their experiences, as well. I began to create spaces for this dialogue, specifically for immigration attorneys of color who identified their work as rooted in social justice and immigrant rights. Our conversations were deep and impactful but also planted the seed for transformative practices. Together, we began to identify patterns and imagine alternatives to the detrimental behaviors that emerged amidst practicing immigration law during the Trump era. We envisioned dialogue circles and group guided meditations, as well as MCLE's focused on our wellbeing and mental health. The ground was fertile for alternatives to the unsustainable manner that we were practicing immigration law.

Through these conversations and subsequent reflection, it became apparent that in order to combat the wounds of the double-edged sword, the impacted immigration lawyer required capacity building and systems to support our well-being, namely: 1) tools to recognize deteriorating wellbeing; and 2) systems of self-care and circles of support.

A. Tools to Recognize Deteriorating Wellbeing

In retrospect, I can easily recognize my deteriorating wellbeing under the stress of the DACA rescission and the relentless changes in immigration policy. However, at the time, I was unable to recognize the signs indicative of my deteriorating wellbeing.

The draconian policy changes were not going to subside anytime soon, and the undoing of these policies under the next administration would not happen overnight. It was only through conversations with fellow impacted immigration lawyers did I recognize that we had to empower ourselves with the tools to recognize patterns of deteriorating wellbeing. This is easier said

than done. It requires an understanding of the mind-body connection; and the physical manifestations of stress, anxiety and worry on our body and mind. It also requires the impacted immigration attorney to reflect on the impact of their work on home life and relationships.

The impacted immigration lawyer—particularly as they practice during and after the Trump era—requires capacity building to recognize the negative impacts on their wellbeing as a result of their lawyering. The best version of capacity building would be rooted in interdisciplinary theory: including Psychology and Critical Race Theory.

Legal education plays an important role in destigmatizing issues of lawyer mental health as well as serving the unique needs of law students and lawyers of color in order to create equity within law schools and the legal profession. I envision specific classes developed in law schools directly addressing well-being and mental health with particular emphasis on impacted lawyer communities. Additionally, the integration of these themes as concrete learning objectives required in experiential courses and placements, where law students may experience the wounds of the double-edged sword for the first time as a legal advocate. This may likely require on-going and deep professional development for law school faculty to actively move towards and celebrate an anti-subordinating law school pedagogy.

For practicing lawyers, state bars, bar associations, and national lawyer affinity groups can play an important role in developing and investing in ongoing legal education addressing issues of wellbeing and geared towards impacted lawyers. As the stated goal of many state bar associations and law schools is to increase the diversity in the legal field, these institutions should also aim to support the unique needs of diverse law students and attorneys by offering the tools to uplift their wellbeing. By institutionalizing the objective to recognize wellness through the lens of impacted lawyers, the institutions that educate and license lawyers should aim to empower those lawyers who often feel the sting of the law both as a member of the community and an advocate for their community.

B. Systems of Self-Care and Circles of Support

Once an impacted immigration lawyer has identified the negative impact on his or her wellness, the next and equally important steps are to understand, implement, and create systems of self-care and circles of support. As impacted immigration lawyers, and the communities that educate and support them, seek to create systems of self-care and support, the process requires both a personal and institutional exploration of the concepts and understanding of both *self* and *meaningful support*.

Self-care seems deceptively simple but requires cognitive and emotional work to understand the “self” and what supports well-being. Self-care in the current zeitgeist conjures images of calming applications on smart devices and other capitalistic endeavors to monetize wellness. While these options may resonate for some people, true self-care requires understanding of the self. For some impacted immigration attorneys, it may be maintaining their regular workout routine, for others it is prioritizing family time—the importance is to understand what uplifts wellbeing and counterbalances the stress of lawyering.

One of the patterns I identified amongst impacted immigration lawyers is the importance of setting work boundaries. This may be leaving work at a healthy time or not checking email after a certain time of night. For others, it may mean communicating with family members that home is off limits for work. They can refer potential clients through work, but not bring them into the home environment with the expectation of immediate legal service. Another powerful tool in setting work boundaries is disconnecting from work email, calls, and communications after a certain time. While the impacted immigration lawyer is free to temporarily expand the boundaries and limits they instituted, the power to choose remains an essential part of their toolkit of wellness.

For some impacted immigration lawyers, self-care may include regular therapy sessions with culturally competent therapists. For others, it may include creating circles of support of fellow impacted immigration lawyers. This could be monthly lunch meetings where the focus is to share about their experiences as a fellow impacted immigration lawyer and listen deeply.

Another powerful self-care strategy is creating and nurturing a circle of support: the explicit choice to seek out and surround yourself with colleagues and like-minded attorneys who understand and uplift you. Folks with whom you can be vulnerable and authentic. This is particularly essential for impacted immigration attorneys who may have felt isolated and alienation since their first day of law school.⁵⁹

I have various impacted immigration lawyer circles of support, ranging from like-minded fellow clinical faculty to National Lawyers Guild, Los Angeles immigration attorneys. However, the most consistent and impactful is also the least formal. This circle of support manifests as a group text with two fellow impacted immigrant rights attorneys—who also happen to be my best friends from law school. They understand my essence, and I understand theirs. We grew close in law school and even closer in the years after.

59. Montoya, *supra* note 56. Montoya provides a groundbreaking and powerful narrative of feeling like an outsider and silenced within law school due to her identity as a Latina.

In this text chain—that is going ten years strong—we vent to each other, we uplift, we listen, we empathize, we celebrate, we remind each other of our Rebellious Lawyering⁶⁰ roots, we call each other out, but most of all we support each other. At the essence of any circle of support is the ability for the impacted immigration lawyer to talk about experiences in a positive environment with fellow impacted immigration lawyers lending an empathetic ear. In the circle of support, there is power in sharing and just as much power in listening.

The circle of support should also be grounding. It can provide a powerful perspective from colleagues who can provide advice or simply listen from a space of empathy. This is particularly important for the impacted immigration attorney, whose white colleagues may be unable to understand the unique emotional labor they experience through their legal practice.⁶¹

CONCLUSION

As an impacted immigration lawyer and a clinical law professor, I will invest in uplifting and supporting fellow and future impacting immigration lawyers. In the future, I plan to expand this research to include formal surveys and interviews of more impacted immigration lawyers in order to gauge wellness during and after the Trump administration. The expanded scope of research will also explore the theories of compassion fatigue and secondary trauma through a critical race theoretical lens. Through an interdisciplinary lens, I will explore psychological theories as informed by the experiences of the impacted immigration attorneys and endeavor to further develop best practices for combatting burnout, compassion fatigue and support wellbeing. Now, more than ever, impacted immigration lawyers are needed to provide empathetic lawyering to immigrant communities bombarded by four years of attacks under the Trump administration. Equally needed are the tools, systems, and structures that prevent and heal the wounds caused by the powerful double-edged sword yielded by the impacted immigration attorney.

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60. LÓPEZ, *supra* note 48.

61. Yakren, *supra* note 54.