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UPDATES ON RE-OPENINGS IN NEW ORLEANS

New Orleans USCIS Office:

The new permanent New Orleans USCIS District Office will be 2424 Edenbourne Ave., Metairie, LA. The New Orleans office is currently being operated out of the Memphis Office and interviews by appointment only are being scheduled at the Kenner, LA office. An individual who needs to mail something to the New Orleans District Office should send it to:

District Director, New Orleans District Office
842 Virginia Run Cove
Memphis TN 38122

Joe La Rocca, AILA Mid South Chapter member, spoke to Sara Smith the USCIS Supervisory District Adjudications Officer in New Orleans on Dec. 8th. Ms. Smith informed him that USCIS has found a new permanent office in the New Orleans area. It will be in the Metairie Center, which is located on the South Service Road between Causeway Blvd. and Clearview Parkway. USCIS expects the office to be up and running by March 2006.

In regards to the temporary office on 408 Minor Street in Kenner, she asks that attorneys not send their clients to that office unless they are sent an interview notice. The office has no internet access and is unable to answer any questions or do anything besides conduct interviews. If someone is in need of an interim EAD or emergency advance parole they will need to go to the Memphis office, as the Jackson, MS office is also not equipped to handle those services.

Finally, if you need to inquire about the status of a case that was pending in New Orleans, Ms. Smith has stated that you need to inquire with Memphis via mail or call the National Customer Service Center.

Fifth Circuit Court of Appeals:

The United States Court of Appeals for the Fifth Circuit today [11-18-05] announced its plan to return the court's operations to its New Orleans headquarters. The court has operated since Hurricane Katrina from the Bob Casey United States Courthouse in Houston, Texas. The return plan contemplates shutting down the Houston operations at close of business on Friday, December 16, 2005 and reopening for business at the John Minor Wisdom Court of Appeals Building in New Orleans on Monday, January 9, 2006.

Emergency matters will continue to be accepted for filing during the period of shutdown in accordance with the court's order posted at www.ca5.uscourts.gov. The court's headquarters are in the John Minor Wisdom Court of Appeals Building in New Orleans, which sustained only modest damage from Hurricane Katrina. Even with the flooding following Katrina's landfall, the Wisdom Building took on very little water in its basement level. The circuit's computer servers and paper records, located on the first floor about two feet above street level, were not damaged.

Chief Judge Carolyn Dineen King stated: The Fifth Circuit's return to New Orleans marks a welcome return to our circuit home that has served us so well. We have had 134 employees temporarily relocated from New Orleans on duty in Houston. After more than two months of rescue operations and drying out, New Orleans is on the road to recovery. The Fifth Circuit, part of the city's fabric for more than a hundred years, is proud to call New Orleans home. The court's first hearing following Katrina has been scheduled for Wednesday, January 18, 2006, where all of the judges of the court will conduct an en banc proceeding. Regular panel hearings of the court will begin in February 2006 and continue thereafter.

New Orleans EOIR Court:

According to Lynda Mobley, the New Orleans EOIR Court Administrator, the New Orleans Court is up and running and will open to the public on December 19, 2005. The Court is receiving and processing mail. The Immigration Judge will return the week of December 19th.

The Court is beginning to reschedule cases for after the first of the year. Attorneys and BIA accredited representatives should notify the Court of any address changes. If the respondent has relocated, an EOIR-33 must be filed with the Court.

Congress Considering Extension of Disaster Benefits for Jobless Hurricane Families

On December 7th, the House of Representatives subcommittee with jurisdiction over federal disaster programs approved a bi-partisan measure (H.R. 4438) to extend federal disaster unemployment assistance (DUA) for those families who run out of their 26 weeks of federal assistance. The bill also requires an immediate increase in the minimum DUA benefit up to \$135 a week. This increase will help Louisiana families who are now collecting the minimum DUA benefit of \$98 a week. H.R. 4438 will also help families who run out of their 26 weeks of regular state unemployment benefits and then qualify for federal DUA if they lost their jobs directly because of Hurricanes Katrina or Rita. A similar, but more limited, measure was approved by the Senate Homeland Security Committee in September (S. 1777).

Public Service Announcements Now Available

CLINIC wrote two radio Public Service Announcements (PSA's) which are currently playing on Gulf Coast radio stations. They inform migrant communities about the need to update their addresses with USCIS if they have moved, and how to take the necessary safety and health precautions during the clean-up and rebuilding of the Gulf Coast. DJ's are reading them in Spanish on two radio stations: Radio Tropical (KGLA 1540) and La Fabuloso (830 AM). Copies of the PSA are available at CLINIC's [Post-Katrina webpage](#)

December 8th Training on Workers' Rights

On December 8th, the Hispanic Apostolate and Catholic Charities of New Orleans hosted a worker rights training organized by their immigration staff attorney, Marina Toledo. The training was attended by 17 individuals, including attorneys, community organizers, and labor union members from the greater New Orleans area.

Two attorneys, Jennifer Rosenbaum and Mary Bauer, from the Southern Poverty Law Center in Birmingham provided training and information on federal labor law issues. They focused on wage and hour protections, occupational safety, and how to file a labor violation complaint with the federal Department of Labor (DOL). They distributed sample forms WH-3 (the form used to make complaints to the DOL regarding labor standards violations by employers) and explained how to complete and file these forms with the Wage and Hour Division of the DOL. They also provided information regarding the office of Occupational Safety and Health Administration (OSHA) in Baton Rouge, LA which has been enforcing worker safety rules on worksites throughout Louisiana. They noted that the Baton Rouge OSHA office currently does not have any bilingual Spanish-speaking officers.

In addition, Bob Urann, a labor lawyer from a New Orleans labor law firm provided information on issues regarding workman's compensation. He also educated attendees on the procedures of filing for workman's compensation due to injuries sustained on the job.

The training was very well received. Attendees, including private attorneys and two Loyola Law School Clinical instructors, indicated their willingness to take on cases for workers who have not been paid or those who need assistance with filing for workman's compensation.

Several of the lawyers in attendance, including Marina Toledo (New Orleans Catholic Charities), Hiroko Kusuda (CLINIC), Luz Molina (Loyola Law School) Sal Longoria (Hispanic Apostolate Board member), Jennifer Lai (Peoples' Hurricane Relief Fund), and Jennifer Rosenbaum and Mary Bauer (Southern Poverty Law Center) have agreed to meet on December 29th to plan a "Know Your Rights" meeting for workers in the New Orleans area that would take place in January.

Summary of Dec. 7th Conference Call with Hurricane Impacted Programs

On December 7th, CLINIC hosted a conference call with affiliate programs impacted by Hurricanes Katrina and Rita. Sarah Mouw, Community Liaison Officer for the New Orleans District Office of USCIS was on the call to answer questions from program staff.

Ms. Mouw reported that on Monday, November 21st, USCIS opened a small office in Kenner (a New Orleans suburb), to conduct interviews for adjustment of status, naturalization, etc. The Kenner office is NOT open to the public and has only 2 USCIS officers. The office has no

computer capacity and is conducting interviews only. The interviews are scheduled on an appointment only basis. The Kenner office is scheduling interviews for persons who have contacted USCIS with updated addresses.

Notices for interviews also are being mailed to persons whose New Orleans addresses contain zip codes from areas that are not closed off due to hurricane damage. The USCIS office in Kenner will not schedule interviews for persons with addresses that contain zip codes from areas of New Orleans that remained closed. Therefore, persons with pending applications containing addresses with these zip codes must provide USCIS with updated addresses in order to get interviews scheduled.

USCIS might permit interviews in the Kenner office for former New Orleans residents who have temporary, out of town addresses. However, for persons wanting to have their interviews in the Kenner office, it would be better to provide USCIS with a stable (long-term) New Orleans address – even if it is the address of a relative or friend.

Ms. Mouw did not know how the prior interview backlog had been impacted by the New Orleans USCIS office closures. She stated that, prior to the hurricanes, most applications (adjustment, naturalization, etc.) had a less than one year wait from filing to interview. Since the New Orleans office is not an extremely busy office, Ms. Mouw guessed that the current wait from filing to interview was a little more than one year.

Ms. Mouw stated that New Orleans residents should continue to file the AR-11 form to report any changes of address. In addition, persons with pending USCIS applications wanting to interview in Kenner should call: 1-800-375-5283 to provide new address notification and to schedule an interview. Ms. Mouw also provided her telephone number in Fort Smith at: 479-646-4713 for people to call with New Orleans USCIS questions.

USCIS does not expect to have a fully operational office in the New Orleans area until March. (February was the previously anticipated date.) The office will be in Metairie. Biometrics services will be available when the office opens. Ms. Mouw will return to New Orleans when the Metairie office is open.

Before Ms. Mouw left the conference call, staff from the Baton Rouge office of Migration & Refugee Services reported to Ms. Mouw that immigration and local law enforcement seemed to be targeting Latinos in Baton Rouge with arrests and searches and questioning. The Baton Rouge staff also complained that employers were calling immigration to have workers arrested when workers demanded wages they had earned. Ms. Mouw stated that immigration enforcement was not within her area, but recommended that persons who were not getting paid their wages file an EEO complaint with the U.S. Equal Employment Opportunity Commission.

There was further discussion after Ms. Mouw left the call regarding what seems to be an increase in arrests of undocumented persons in Baton Rouge. There have been 3-4 arrests in one particular neighborhood. In one instance, a man was arrested as he left his apartment to go to work. In another instance, two Mexican men were stopped while driving and their car searched. A Baton Rouge police officer then confiscated the driver's international drivers' license, telling him he did not need it.

In another instance, a worker was arrested while waiting outside a paint store for a contractor with whom he was working. Family members do not know where he was taken and have not heard from him. In the last instance, a group of 5 people were stopped and questioned by a law enforcement officer. The officer asked that only two of the group volunteer to come with him. Those two have not been heard from since they were detained.

The Baton Rouge staff did not believe there was racial tension in the community. Thus, the staff thinks it is odd that there seems to be a sudden increase in stops and arrests. Diane Chisholm talked with other resettlement directors throughout Louisiana and said there are no other reports of an increase in arrests. Laurie Joyce agreed to contact Diane to get more detailed information about the incidents and possibly pursue the situation with New Orleans ICE.

An announcement was made that CLINIC was now distributing an e-newsletter with hurricane-related information. Anyone interested in receiving the e-newsletter or contributing information, should contact Maura Collins at: mcollins@cliniclegal.org. In addition, CLINIC has created a page on its website dedicated to hurricane related information. The website can be found at: www.cliniclegal.org/katrina.shtml. Anyone interested in posting hurricane related information on the website should contact William Youmans at: wyoumans@cliniclegal.org.

Finally, it was announced that “Know Your Rights Materials” in English and Spanish had been posted on the Katrina page of the CLINIC website. The materials were created by Karen Herrling in CLINIC’s Washington, D.C. office to inform immigrant workers of their rights. People should feel free to download the forms and distribute them.

Summary of November 21st Conference Call with Hurricane Impacted Programs

On Monday, November 21st, CLINIC hosted a conference call for Catholic programs impacted by Hurricanes Katrina and Rita. Craig Robinson from the New Orleans Detention and Removal Unit (ICE) was on the call and responded to questions from program staff.

Mr. Robinson stated that the former Office of Investigations of ICE in New Orleans at 701 Loyola was seriously damaged and not in use. He stated that ICE was looking for a new office location, but in the meantime the Detention and Removal Office had no functioning office space in New Orleans. Mr. Robinson said that he was currently borrowing space in an office on the backside of the Hyatt Hotel in downtown New Orleans.

Mr. Robinson stated that only 7 administrative staff and enforcement officers from ICE had returned to work in New Orleans from a former staff of 31. Many of the officers had their own homes damaged and may not return to New Orleans at all. Mr. Robinson had no information on when the ICE office would be re-staffed. He stated that the New Orleans ICE staff were working under very difficult circumstances and still trying to retrieve BICE files from the old building. He said that files were being moved out, but progress was slow because everything had to be moved up and down the stairwells as there were no functioning elevators. He stated that ICE files had been moved to Oakdale (for people with criminal convictions), and Jackson, MS, and Memphis, TN for persons without convictions.

Mr. Robinson stated that Border Patrol, Office of Investigations, and Detention and Removal continue to make arrests of undocumented persons in the New Orleans area to the extent possible with limited staff. Persons arrested are temporarily placed in the Orleans Parish Prison, usually no more than 72 hours, until they can be removed from the United States or moved to another jail. The main jails to which people without criminal convictions were being transferred were jails in Shelby and Mason in Tennessee, and Tensas in Louisiana. One other jail is being used in Arkansas. The jail in Plaquemines, Louisiana was flooded during the hurricane and detainees there were transferred to Oakdale. The Calcaieau Jail was damaged during the hurricane and is now closed.

The Orleans Parish Prison was evacuated prior to the hurricane. Prior to Hurricane Katrina, the Orleans Parish Prison had a population of 6,000 criminal inmates and immigration detainees. Currently, the population is down to 800, only a small number of which are immigration detainees. Mr. Robinson said that, due to the New Orleans EOIR closure and the limited number of enforcement officers, he has been forced to move detainees to outlying jails and closer to other immigration courts. The main immigration court in which New Orleans cases currently are being heard is in Memphis

Mr. Robinson said that if there was a need to contact the New Orleans ICE office, people could contact his administrative assistant, Janis Sanford, at (504) 310-8823. If there was a true emergency attorneys could call Mr. Robinson's cell phone at 504-329-6180 or contact him by e-mail at craig.robinson@dhs.gov.

When asked if only attorneys could call Mr. Robinson's number, he stated that if persons were calling to inquire about a detained person, he could only answer questions about the detainee's location if the call came from a lawyer or person representing the detainee. He also said that he could only provide information regarding a detainee's location if the lawyer had the alien number and the correct name of the detainee. Mr. Robinson noted that often detainees give ICE an alias, thus making it difficult for lawyers to locate their clients.

Program staff asked about how family members could locate a person who has been picked up by ICE and detained. Mr. Robinson replied that the Orleans Parish Prison and the sheriff's offices had telephones from which detainees could call out. It was noted that these phones only allow detainees to make collect calls.

Program staff questioned Mr. Robinson regarding whether New Orleans ICE would exercise prosecutorial discretion and not issue Notices to Appear (NTA's) in the cases of newly arriving Cuban parolees – given that the New Orleans EOIR is closed and that Cuban parolees can adjust status after a year of physical presence in any event. Mr. Robinson responded that he did not feel he should exercise discretion not to issue an NTA. He said it would be up to District Counsel to decide whether to administratively close such a case. Mr. Robinson said that New Orleans District Counsel was temporarily located in Oakdale, Louisiana at: 1010 E. Whatley Rd., Oakdale, LA 71463.

To sign up to receive this electronic newsletter, contact Maura Collins at mcollins@cliniclegal.org or visit clinic.kintera.org/katrina to subscribe online.