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Symposium Introduction: "Justice for Strangers? Legal Assistance and the Foreign Born"

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In the midst of the national debate over immigration, the University of Dayton School of Law held the 2008 Honorable James J. Gilvary Symposium on Law, Religion & Social Justice, entitled *Justice for Strangers? Legal Assistance and the Foreign Born* on February 27-28, 2008.¹ The symposium brought together legal practitioners, social service agency employees, professors, students and members of the general public interested in protecting those born outside the United States who find themselves in this country for a variety of reasons. The symposium explored both the role of religious faith in formulating a theoretical basis for protecting the foreign born, as well as the practical issues of those who advocate on the behalf of the foreign born.

Based on symposium presentations, the three articles in this issue demonstrate the dual-emphasis of the symposium: theory and practicality. All three articles nicely highlight the University of Dayton School of Law's focus on the role of the lawyer as a problem solver.² Each of the symposium authors offer solutions to problems that may arise in protecting the foreign born.

In *Guest Workers and Justice in a Second-Best World*, Professor Howard Chang offers a theoretical defense of an improved guest worker program. Professor Chang, acknowledging that critics of guest worker programs are often fearful of employers' ability to exploit guest workers, offers solid suggestions for designing a program that minimizes this risk of exploitation. Moreover, Professor Chang addresses the critique that in theory *all* guest workers are exploited because the society importing guest workers gets the benefit of their labor without paying the cost of extending them the same benefits that citizens receive. Professor Chang points out that the underlying problem with this critique is that most citizens would not agree to the "cosmopolitan theory of justice" that would allow free movement of all workers across borders and to the extension of the benefits of citizenship to such workers. Because the ideal world will not be realized, those theoretically opposed to *any* guest workers end up excluding willing workers who could benefit from a guest worker program. Professor Chang offers that given the current political climate, a well-regulated guest worker program is the solution to the guest worker problem.

¹ The symposium honors the memory of the late James J. Gilvary, a University of Dayton alumnus and chair of Board of Trustees for the University, whose life embodied the University of Dayton motto, "Learn, Lead, and Serve." Judge Gilvary was a beloved figure within the Dayton legal community. He was a leader in the fight to make justice available to all. Judge Gilvary served as President of the Dayton Bar Association and the Legal Aid Society of Dayton. He also helped found the Dayton Volunteer Lawyers Project. Each biennial Gilvary Symposium addresses a different legal issue with significant moral, religious, and social justice implications.

² Jonathan D. Glater, Training Law Students for Real-Life Careers, 157 N.Y. Times B9 (Oct. 31, 2007) (discussing the University of Dayton School of Law's innovative "Lawyer as Problem Solver" curriculum).

Bruno Romero takes on another problem facing the foreign born, and offers a solution in "*Here are your Right Hands: Exploring Interpreter Qualifications*." Mr. Romero uses specific examples to show the danger for clients when lawyers do not properly vet interpreters used for legal proceedings. He clarifies that to meet the important constitutional guarantees of the justice system, such interpreters must have a unique set of skills beyond mere language proficiency. After explaining that some, but not all, courts offer certification for interpreters, Mr. Romero offers a list of questions that legal professionals should use in qualifying interpreters. Lawyers who rely on interpreters should find this advice invaluable.

Finally, Karen Denise Bradley attempts to solve the problems that arise at the dangerous intersection of criminal law and immigration law in *Ten Things a Criminal Lawyer Should Know When Representing the Non-Citizen in Criminal Proceedings*. The authors clarify that it is crucial that criminal attorneys understand the consequences of a conviction for the immigration status of their non-citizen clients. Karen Denise Bradley offers solid practical advice for criminal lawyers representing non-citizens, and in the process, the author helps criminal defense lawyers prevent immigration problems for their clients.