
Hughes Hubbard & Reed

HHR Wins Legal Permanent Residence for Domestic Violence Survivor

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After nearly two years, the firm obtained legal permanent residence under the Violence Against Women Act ("VAWA") for a Guatemalan woman who survived domestic violence from her American husband. The firm received the case in May 2010 from inMotion, a non-profit organization offering free legal services to low-income women.

Although the client was eligible for permanent residence status based on her marriage to a U.S. citizen, her husband refused to help her complete the process. Instead, he used her undocumented status to keep her dependent on him for a home and a job at his bakery. Her husband's abuse escalated from verbal threats and financial exploitation to physical violence. In September 2009, after deciding she and her son, Edwin, were no longer safe, the client left her husband and the job and sent Edwin to live with her parents in Guatemala. But she did not have authorization to work legally in this country.

In August 2010, Hughes Hubbard submitted a VAWA self-petitioner application, along with adjustment of status under VAWA and work authorization. Under VAWA and immigration law, the firm had to demonstrate that the client was entitled to proceed with her immigration application independently from her husband as an abused spouse of a U.S. citizen, and that she had entered into the marriage in good faith. Hughes Hubbard submitted two rounds of extensive affidavits from friends, family and medical professionals to substantiate her case.

While the VAWA application was under review, the United States Citizenship and Immigration Services ("USCIS") granted the client's request for work authorization in August 2010. This critical step allowed the client to work legally and build her financial independence.

In late September 2011, the firm won protection under VAWA to adjust the client's status, which allowed her to obtain legal permanent residency on June 4, 2012.

After a nearly two-year journey, the client has started a new life. She has obtained pro bono assistance from another law firm to divorce her husband. She and her new partner recently had a baby boy named Josue. With her residency status resolved, the client visited Guatemala for the first time since she came to the U.S. and reunited with her son, Edwin, who is now 10. She is anxiously awaiting the end of the school year to bring him back to the U.S. to live with her and his little brother.

The client and Edwin recently called the firm from Guatemala. "Thank you for making it possible for me to finally be with my mother," Edwin said.

Rebecca Sosa, Betsy Pierce, Francine Kavanagh, Christopher Wild, Caroline Parker-Beaudrias and Sara Echenique worked on the case. Sarah Cave and Neil Oxford served as supervising partners.

Related People



Caroline Parker-Beaudrias



Neil J. Oxford