

A Day in the Life of ...

Jaime Diez, a border town
immigration lawyer.

BY VICTOR A. FLORES

This summer, I drove to Brownsville to meet immigration law attorney Jaime Diez. Entering the city limits, I was impressed by growing commercial development, and further toward downtown, Spanish colonial homes intermingled with contemporary and Texas ranch-style structures.

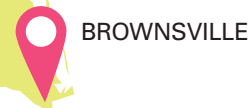
Brownsville is a major manufacturing hub with interests tied to Matamoros, Mexico, its sister city to the south. A 17-mile long channel connects the deep-water Port of Brownsville to the Gulf of Mexico. Trade, commerce, and pedestrian traffic across the Brownsville & Matamoros International Bridge is a lifeline for Brownsville's economic sustainability. Getting to know Diez, I learned that his practice of immigration law is as unique and diverse as the city that he lives in.

Although Diez has resided in Brownsville for most of his life, he was not born there. In 1982, his father, a successful businessman, emigrated from Mexico to South Texas with his family on a work visa. Diez attended high school at the Marine Military Academy in Harlingen, about a half-hour drive from Brownsville. Later, he earned his J.D. from Southern Methodist University and his LL.M. in international

law from Georgetown University. Initially, he wanted to practice corporate law. However, in 1993, the U.S. was still recovering from a mild economic recession, and he was unable to find a job in that field.

Serendipity must have been at play when Diez was introduced at a San Antonio car wash to Robert Crane, a well-respected immigration attorney. The two would establish a 20-year law practice in which Diez credits his opportunities and experiences to Crane, whom he calls his friend and mentor.

Along the border, there's a need for good immigration attorneys but not many try to get into the practice because it's a complicated area of law, he said. According to Diez, the only education attorneys get in law school about immigration law might be a clinic on asylum. Immigration isn't on the Texas Bar Examination.



“If you want to start in this area, my recommendation would be to go for it,” Diez said. “Join the American Immigration Lawyers Association and other immigration law related groups, observe seasoned immigration lawyers in court, introduce yourself to other immigration law attorneys in the area, and start slow—it’s not an area of law that you can master in one seminar.”

Diez emphasized the need for more qualified immigration lawyers. His biggest concern: Will attorneys straight out of law school be able to answer a broad range of questions from people seeking help?

“The consequences of giving them wrong advice may result in a person never being able to return to the United States to be with his family,” Diez said. “More importantly, he may never be able to see his wife or children again. That is a big responsibility.”

He described his office like an emergency room, where people aren’t asked if they can pay. Rather, they’re admitted, treated, and told what the fees are. According to Diez, many of the people who walk into his office are desperate for help. For example, someone’s husband may have been detained. Attorneys need to be ready to drop whatever they’re doing to help that person—sometimes even if he or she can’t pay at that moment.

As a result of working under Crane for so many years, Diez has developed a familiarity with almost every aspect of immigration law, including helping clients through the naturalization process, representing U.S. citizens who married someone from abroad, processing passport applications (significantly difficult in the border area for clients born with the assistance of midwives), assisting clients with detention issues, and facilitating work visas for investors and professionals.

In addressing immigration law related issues, the Texas-Mexico border region is unique, Diez said. People from the border area likely have friends or family who live on both sides between Matamoros and Brownsville, which are within walking distance of each other. People from Matamoros sometimes cross daily to Brownsville to visit family; go shopping; or to attend important milestones like weddings, baptisms, and first communions. Others from Brownsville go to Matamoros daily for the same reasons—to eat, work, or to get cheaper medicine, doctors, dentists, and groceries.

For many U.S. citizens who live on the border and have to cross to Mexico, having a U.S. passport is critical, Diez said. The law requires that they have one to return to the U.S. However, those born in this area with a midwife may have significant difficulties in getting one.

One of his clients received her initial passport by submitting her midwife birth documents. When her passport expired, she applied for renewal. Instead, her application was denied and she was detained on her way back from Matamoros at the port of entry. The government filed criminal charges against her for falsely claiming U.S. citizenship. The magistrate judge found no probable cause for the criminal offense.

“In any event, she was deported to Mexico where she spent over a year until the habeas corpus I filed was granted and the U.S. Department of State granted her passport application,” Diez said. “Still, even after they issued my client her passport, the DOS ordered that a hold be placed on her Texas birth certificate. The administrative law judge in Austin for the Texas Department of Health and Human Services found that the passport only proved that she was a U.S. citizen, not that she was born in Texas.”

Diez noted that numerous families have been forever impacted by the complexities of immigration law. He has boxes of passport cases, piles of documents ready for court hearings, and other stacks of paper waiting for responses from federal immigration agencies. Still, Diez can recount the names of each of his clients and the fear and uncertainty that each endures.

One man who immigrated in 1975 had an assault conviction in 1998 after he threatened to hit someone. He’s had no trouble since then and has lived in the U.S. for more than 40 years. He’s married to a U.S. citizen and has multiple kids all born in Texas. One day, he crossed to Matamoros to buy medicine. But on his way back, an immigration officer ran his legal permanent resident card through their system, discovering the 1998 conviction. He was detained and taken to a detention center in Los Fresnos to appear before an immigration judge. The assault is a deportable offense.

That man now waits in detention for five months until he has his merits hearing to decide whether he should be allowed to remain in the U.S. with his family.

For 20 years, Diez has found comfort in providing a life-line of hope for these people. As we wrapped up our discussion, he shared an experience he had while shopping for groceries:

One day I was at H.E.B. with my son when the cashier randomly said, ‘Hey, because of you I have this job. You helped me immigrate through my husband a few years ago.’ Her comments surprised me. That lady was working there because she was a hard worker. Not because of me. As her lawyer, I had just done my job. But, clearly it meant a lot to her that I helped her with her case. So practicing immigration law is very rewarding. You can really change people’s lives in a way that can be very important. **TBJ**



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