

Chicago Daily Law Bulletin

Volume 157, No. 109

Friday, June 3, 2011

Forty-eight pages in two sections



Paul McGrath

Margaret H. Marshall, the retired chief justice of the Massachusetts Supreme Judicial Court, was the keynote speaker at Thursday's National Immigrant Justice Center's 12th annual Midwest Light of Human Rights awards program.

Organization shines spotlight on human rights work

By Maria Kantzavelos
Law Bulletin staff writer

Margaret H. Marshall, the retired chief justice of the Massachusetts Supreme Judicial Court, has been engaged in a self-described love affair with the United States for decades, since the time she came to a revelation that would shape the course of her life's work.

An immigrant from South Africa who fled her native country in the late 1960s as a fierce opponent of the white-led government's policy of apartheid, Marshall said she arrived in the U.S. with no legal training and no plans to attend law school.

"But as my sojourn here stretched from a year to two, and then to five, as I traveled across this country speaking out against apartheid and racism, I came to understand, as I had not understood before, that lawyers play a special, unique role in this nation," Marshall said.

Marshall, who spoke Thursday during the Chicago-based National Immigrant Justice Center's 12th annual Midwest Light of Human Rights awards program,

told the audience of nearly 700 people gathered for the luncheon that after her arrival in the U.S., "I saw lawyers bring cases that gave meaning to the words of Dr. King and Senator Kennedy that had so moved me.

"I watched as lawyers demanded that this nation live up to the promises of the Constitution. I came to understand for the first time here in the United States that the law need not be an instrument of oppression as it was in apartheid South Africa, but a means to equality and justice for all."

That's when the love affair began, she said, when the immigrant from South Africa decided to follow those lawyers' leads.

Decades after graduating from Yale Law School, Marshall in 1999 became the first woman to hold the position of chief justice on Massachusetts' highest court.

In 2003, she authored that court's majority decision in the historic *Goodridge v. Department of Public Health*, the first U.S. law prohibiting a state from denying same-sex couples the right to marry. The

court found that same-sex marriages were a lawful extension of the Massachusetts Declaration of Rights, the state's Constitution.

Incidentally, Marshall — who retired from the bench in 2010 so that she and her husband, former New York Times columnist Anthony Lewis, who had been diagnosed with Parkinson's disease, "may enjoy our final seasons together" — was visiting Chicago this week when many in Illinois were celebrating the enactment of this state's own civil unions law.

On Thursday, Marshall was featured as the keynote speaker during the NIJC's annual awards luncheon, which honors organizations and individuals whose work advances human rights.

"South Africa's enormous loss was our incalculable gain," said 7th U.S. Circuit Court of Appeals Judge Ilana Diamond Rovner, herself an immigrant who fled Latvia with her family when she was an infant.

"The depth of her humanity, her understanding and affirmation of every in-
Immigrant — page 24

Immigrant

Continued from page 1

dividual's right to dignity and justice, is what truly sets her apart."

The NIJC honored Albany Park Theater Project, a multiethnic youth theater ensemble that uses art to raise awareness about human rights and social injustices in the community; McDonald's Corp., whose legal department has been a longtime partner with NIJC to provide pro bono legal services to vulnerable immigrants; and Chicago attorney Terry Yale Feiertag of Hughes, Socol Piers, Resnick & Dym Ltd., a co-founder of NIJC and longtime advocate to expand legal counsel for immigrants.

NIJC provides legal services to and advocates for immigrants, refugees and asylum seekers through policy reform, impact litigation and public education. Its event also took place during the week when the Illinois House sent Gov. Patrick J. Quinn the Illinois Dream Act, legislation aimed at helping the children of undocumented residents in Illinois afford college.

David Feiner, producing artistic director of Albany Park Theater Project, whose original plays feature the experiences and stories of immigrants and working-class people, accepted "The Jeanne and Joseph Sullivan Award" before a crowd that included U.S. Sen. Richard J. Durbin, D-Illinois, who is sponsoring a federal proposal that would also include a path to citizenship.

Gloria Santana, general counsel in the legal department of McDonald's Corp., accepted the "Midwest Light of Human Rights Corporate Award" on behalf of her department, which has been partnering since 2001 with the NIJC to provide pro bono legal services to vulnerable immigrants. For the last few years, the department has participated in a pro bono project that helps immigrants who have

been either victims of crime or witnesses of crime to obtain U Visas, which allow certain crime victims a path to permanent legal residency, in return for cooperating with their abusers' prosecution.

"The stories are just heart wrenching," said Sandra J. Wall of McDonald's, who oversees the pro bono project. "You see these women, they've tried so hard, they just don't have a voice, the resources to get their own attorneys. It's amazing what you can do for them."

Feiertag, a co-founder of NIJC and a current member of its Leadership Council, received the group's "Midwest Light of Human Rights Award." The Chicago attorney who has practiced immigration law for more than 35 years, successfully litigating a major class-action lawsuit to prevent the deportation of hundreds of thousands of individuals, launched NIJC's pro bono refugee project, which involves nearly 1,000 attorneys and represents thousands of men, women and children, the organization said.

Last year the NIJC provided consultations and/or legal representation through pro bono partnerships to about 10,000 individuals, including asylum seekers, detained immigrants, refugees, unaccompanied children and survivors of human trafficking and domestic violence.

In its representation of asylum cases, the NIJC said, it achieved a 92 percent success rate — double the national rate.

"NIJC is on the front lines, every day, confronting some of the most difficult and troubling issues our nation faces: how this great country, committed to equality under the law for all, will treat all who reside in the United States, regardless of their citizen status," Marshall said in her remarks.

E-mail: mkantzavelos@lbpc.com