Volunteer Attorney: Gail McCarthy

Gail K. McCarthy received her J.D from the University of Michigan in Ann Arbor, Michigan and her B.A. from the University of Illinois at Urbana-Champaign and was admitted to practice in the State of Michigan in 1977 and in the State of Wisconsin in 1980. She has practiced immigration law throughout her legal career and has limited her practice to immigration since 1988. Gail has always had an active pro bono practice at Hochstatter, McCarthy, Rivas & Runde, S.C and enjoys working with community organizations in immigration matters.

How did you first get involved with the Marquette Volunteer Legal Clinics?
My involvement has always been through our professional organization, the Wisconsin Chapter of the American Immigration Lawyers Association (AILA). In 2008, a group of people involved with the MVLC came to one of our chapter meetings to tell us about the clinic and ask us to consider formalizing our relationship. Before that, several of our chapter members had been participating, but there was a need for more volunteers. Our chapter readily agreed to participate, and I volunteered to be the liaison with the MVLC.

Why did you choose to continue to work with the MVLC?
Immigration laws are complex and unforgiving, and we don’t want people to fall victim to bad advice and fee scams. The MVLC clinic at Hillview is a convenient way for our members to help people sort through their situations, and when necessary, guide them to a competent lawyer or non-profit.

Has your work at the MVLC been of any assistance to you professionally?
To be honest, that’s a new question for me. I guess I’d say that the MVLC keeps me on my toes professionally. The problems I encounter at Hillview are often outside my day-to-day immigration law practice, but fortunately I can call on my partners and other chapter members for assistance. I end up sharing the same learning experience that the law students are having when we dig into a complicated problem on a client’s behalf.

What advice would you give to students in law school?
I’ll be blunt. Don’t pursue immigration law as an add-on to a general practice when you’re starting out. It is not for the faint of heart and it is hard. On the up side, you get to work face to face on a daily basis with people from all over the globe who have had life experiences that will fascinate and humble you.

What do you wish someone had told you about entering the law profession after getting your JD?
Well, I think today’s law students are a lot less naïve than I was. I had to learn that not every injustice can be overcome through lawyering, no matter how good, and sometimes
you go home feeling pretty bad about the outcome of a case. In the long run, you can get through those moments if you just concentrate on doing your best.

**Why is it important for lawyers to do pro bono work?**
I will only speak for my field. There is so much unmet need in the field of immigration. I think our AILA chapter’s unflagging support for the MVLC reflects our awareness of how much need there is and our commitment to getting accurate information and advice to the people who come to the clinic. I’d also like to boast about many of our MVLC volunteer attorneys who are performing a substantial amount of pro bono work in addition to the clinic, without recognition, simply because they see the need and are so generous with their time and talent.

**How, if at all, has your experience with the MVLC enriched your notions of justice?**
I’m uplifted by my colleagues who, after meeting the family members of detained immigrants at the clinic, agree to help them at no cost or for a manageable fee. Yet, I’m saddened that under current law, immigrants in deportation/ removal proceedings are not afforded competent legal counsel regardless of ability to pay. Justice for many of those people and their families is an illusion.