

For her, immigration law is 'perfect'

*By Pat Milhizer
Law Bulletin staff writer*

Carlina Tapia-Ruano was in her first year of law school in 1977 when a professor was trying to teach a lesson on rules of procedure by using football metaphors.

She couldn't have felt more alienated.

"I don't have any brothers. My parents never watched football. I didn't have a clue what football was," said Tapia-Ruano, 51.

As she headed into her last year at DePaul University College of Law, she didn't know what she was going to do with a law degree. She had plenty of experience, having clerked at law firms handling domestic relations, real estate, criminal defense, corporate transactions, collections and personal injury.

"And I was still lost. I remember discussing with my parents, 'I don't know what I'm going to do. I don't like the practice of law,'" she said.

In her last semester, she discovered something she said she never heard a word about in school — immigration law.

She asked Chicago lawyer William Newell Siebert whether she could clerk for him. He agreed and eventually hired her as an associate.

It was fitting.

Tapia-Ruano came to the United States as a Cuban immigrant when she was 5 years old, the daughter of a preacher who brought his family to a small Michigan farming town. There, her mother and father were administrators at a Spanish-speaking Dutch Christian Reform church.

In the summer months, they would hold services for Mexican immigrants harvesting crops. They would attend at least four, and sometimes five, services every Sunday.

Her father never repeated a sermon.

"He could speak for hours, spontaneously, very easily. But he taught me a lot of lessons. He taught me to always be prepared to speak. And the most important thing you can do is you can listen, too," Tapia-Ruano said.



The services would end with the farm workers receiving secondhand clothes, books and toys for the children.

"It was like a little mini-Christmas," she recalled.

She always knew her immigrant background would be a part of her social life, but she never imagined it could lead to a legal career.

"When I made the connection, it made perfect sense," Tapia-Ruano said.

She has worked at four small firms handling immigration cases. She now represents employers trying to recruit foreign nationals and Hispanics trying to obtain immigration benefits.

And 2006 has been quite a year.

This summer, she left Minsky, McCormick & Hallagan P.C. after 12 years as a partner to open Tapia-Ruano & Gunn P.C. with her husband, Jeffrey W. Gunn. She also was named the first Hispanic president of the American Immigration Lawyers Association.

This month, Hispanic Business Magazine put her on its list of the 100 most influential Hispanics in the country.

"She brings a unique combination of personal experience and passion to the job. I have always found her to be incredibly insightful and passionate about her work and clients," said Jeanne Butterfield, executive director of AILA.

Tapia-Ruano came to Chicago in the early 1970s, when her father was transferred here to lead El Buen Pastor Church in Little Italy. Money was always tight, but her parents made sure that their two daughters attended private schools.

She graduated from Luther High School North before heading to Illinois Wesleyan University, where she majored in history and now serves on the board of trustees.

While she has had success with many immigration cases, she says it's a failure that stands out.

In 1997, she represented a 19-year-old man who was arrested after trying to buy marijuana from an undercover police officer. The teenager had status as a legal permanent resident, but he never acquired American citizenship.

"A very common mistake," she said.

The teen was charged, convicted and put into a deportation proceeding. The incident came after "drastic" immigration law changes in 1996 that called for exile of foreign nationals convicted of drug-related offenses, Tapia-Ruano said.

But he was convicted before the law changed, and the deportation proceeding was after the change.

Tapia-Ruano appealed the case, saying the interpretation of the law was unconstitutional. She lost.

In 2001, the U.S. Supreme Court ruled in a similar case — *Immigration and Naturalization Service v. St. Cyr*, 533 U.S. 389 — that legal immigrants may not be deported without a court hearing.

The 5-4 ruling mainly dealt with those who pleaded guilty under the old law, which provided the hearing, but faced a deportation proceedings under the new law.

The Justice Department said the intent was to avoid delays in removing criminals from the country. Lawyers representing immigrants said the government could not prevent judges from reviewing constitutional claims.

But it was too late.

Two years after his deportation, the man's mother died, and he illegally returned to the country for the funeral. Immigration authorities arrested him in Wisconsin, and he is now serving a seven-year prison sentence, Tapia-Ruano said.

"I always hurt when I think about that case," she said.

Concerning today's issues, Tapia-Ruano said the "immigration system we have is built on a quota and the quota allows a limited number of individuals. This quota is inadequate.

"It is not meeting the needs of both our society, in joining family members, and our economy, to allow the employers to have their needs met by having any worker they believe is best qualified," she said.

Tapia-Ruano said she does not believe that anyone thinks that it's a good thing that there are thousands of undocumented people in the country.

"The intelligent response is, 'The laws should be here to benefit the society.' ... If we really want to only allow people in the country legally, then you have to provide a mechanism for them to enter legally. There has to be a flow.

"People always say, 'Why don't they go and get a visa?' Because there aren't any. To work in hotels, landscaping, restaurants, domestics — they can't get a visa. It doesn't exist."

Tapia-Ruano said that, ultimately, her work is a benefit to the country.

"Immigrants are good for the United States," she said. "I'm an immigrant, and I think I have done a lot of good things."