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Justice Dept. to halt legal-advice program for immigrants in detention



Attorney General Jeff Sessions. The Justice Department will temporarily halt a program that offers legal assistance to detained foreign nationals facing deportation while it audits the program's cost-effectiveness, a federal official said Tuesday. (Susan Walsh/AP)

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The U.S. immigration courts will temporarily halt a program that offers legal assistance to detained foreign nationals facing deportation while it audits the program's cost-effectiveness, a federal official said Tuesday.

Officials informed the Vera Institute of Justice that starting this month it will pause the nonprofit's Legal Orientation Program, which last year held information sessions for 53,000 immigrants in more than a dozen states, including California and Texas.

The federal government will also evaluate Vera's "help desk," which offers tips to non-detained immigrants facing deportation proceedings in the Chicago, Miami, New York, Los Angeles and San Antonio courts.

The Executive Office for Immigration Review, which runs the Justice Department's immigration courts, said the government wants to "conduct efficiency reviews which have not taken place in six years." An immigration court official, who spoke on the

condition of anonymity because the audit has not been formally announced, said the review will examine the cost-effectiveness of the federally funded programs and whether they duplicate efforts within the court system. He noted, for example, that immigration judges are already required to inform immigrants of their rights before a hearing, including their right to find a lawyer at their own expense.

But advocates said the programs administered by Vera and a network of 18 other nonprofits are a legal lifeline for undocumented immigrants.

“This is a blatant attempt by the administration to strip detained immigrants of even the pretense of due-process rights,” said Mary Meg McCarthy, executive director of the National Immigrant Justice Center, one of the organizations that offers the legal services with Vera.

In a statement, the Vera Institute said a 2012 study by the Justice Department concluded that the program was “a cost-effective and efficient way to promote due process” that saved the government nearly \$18 million over one year.

The Trump administration has also clashed with the Vera Institute over whether its subcontractors were informing undocumented immigrant girls in Department of Health and Human Services custody about their right to an abortion. The issue was later resolved.

The Justice Department is ramping up efforts to cut an immigration court backlog of 650,000 cases in half by 2020. Attorney General Jeff Sessions last week imposed production quotas on immigration judges to spur them to clear cases more quickly.

Immigration courts are separate from U.S. criminal courts, where defendants are entitled to a government-appointed lawyer if they cannot pay for their own legal counsel.

The Vera Institute said approximately 8 in 10 detainees in immigration court face a government prosecutor without a lawyer.

The Executive Office for Immigration Review says on its website that it launched the legal-aid program in 2003, during the administration of George W. Bush, to orient immigrants so that court proceedings would move more quickly.

In Vera’s Legal Orientation Program, lawyers and others hold hour-long group information sessions with detainees to explain their rights, how the court process works and their possible defenses to deportation in federal law, such as seeking asylum if they are in fear for their lives. They also meet with detainees individually and refer detainees to free or low-cost lawyers, but do not represent them in court.

“Experience has shown that the LOP has had positive effects on the immigration court process: detained individuals make wiser, more informed, decisions and are more likely to obtain representation; non-profit organizations reach a wider audience of people with minimal resources; and, cases are more likely to be completed faster, resulting in fewer court hearings and less time spent in detention,” the agency’s website says.

The help desk answers questions and provides similar information to immigrants who are not detained but are facing deportation.

Maria Sacchetti covers immigration for The Washington Post. She previously reported for the Boston Globe.

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https://www.washingtonpost.com/local/immigration/justice-dept-to-halt-legal-advice-program-for-immigrants-in-detention/2018/04/10/40b668aa-3cfc-11e8-974f-aacd97698cef_story.html?utm_term=.7b150557e623