

**Statement from Immigration Legal Services Providers to the Biden Administration:
Abandon Harmful Trump Policies and Include Immigrants in DOJ Access to Justice Initiative**

***21 Legal Services Contractors Call for Restoration of Legal Access Programming in the
Immigration Courts***

May 25, 2021

We, the undersigned, are nonprofit legal service providers contracted through the government-funded Legal Orientation Program (LOP) to provide Know Your Rights programming and *pro se* assistance to people facing deportation proceedings without a lawyer. Access to legal information is critical to ensuring that people going through immigration court proceedings understand their rights and provides a modicum of justice in an unbalanced system. In our nation's [overwhelmed and chaotic](#) immigration courts, we work day in and day out to provide a safety net for asylum seekers and community members struggling to defend themselves against a federally funded prosecutor in front of a federal judge. The stakes are unimaginably high: deportation [can mean death](#) for those fleeing persecution, and it almost always means [permanent exile](#) from family and loved ones.

Our programs are essentially triage programs. We are attorneys, legal assistants, social workers, and accredited representatives trained to provide information and support for individuals facing life and death proceedings in a fast-paced setting where the need dramatically outstrips what our programs are funded to handle. The services we provide are crucial to the majority of people who face deportation alone, even though we are keenly aware that our services are also a bandaid while we advocate for the government to build a long-overdue appointed counsel program for those facing deportation.

During the Trump administration, legal access programs in the immigration courts were consistently under attack and, in fact, the LOP program was [almost terminated](#). **Four months into the Biden administration, our organizations are concerned that this generally antagonistic approach toward legal access programming and access to legal representation in the immigration courts persists.** Last week the Biden administration announced a [new initiative](#) intended to restore Access-to-Justice measures throughout the government. The program rests on the principle that, "Everyone in this country should be able to vindicate their rights and avail themselves of the protections that our laws afford on equal footing." Yet this aspiration feels far out of reach for those navigating the immigration court system and for our teams trying to support them. Robust legal access programming must be the *starting place* to ensure that immigrants are included in Biden-era Access-to-Justice programming.

Our concerns are especially urgent with regard to the cluster of legal access programs under the umbrella of the Legal Orientation Program, because of ongoing contract negotiations with a May 31st deadline. **In these negotiations the Executive Office for Immigration Review (EOIR) has doggedly insisted on contract provisions championed by the Trump administration that**

would undermine our programs' efficacy and make it even more difficult to match *pro bono* legal representation with people who need it. These provisions include, for example, restrictions on our organizations' ability to refer individuals for full legal representation and limits on the nature of information we are able to solicit from people during intake. Such restrictions are at odds with the goals of the LOP program and ignore the significant expertise and experience of LOP providers, many of whom have worked for decades to provide services in an efficient and equitable manner. More broadly, our organizations and dozens of others throughout the country continue to endure the daily grind of [policies and practices](#) that make it harder for immigrants to access legal counsel, [particularly for people in immigration detention](#).

We are eager to work collaboratively with the new administration to ensure that LOP programs provide support and counsel to all those who need it. In the immigration courts, justice is a scarcity and the need for course correction is urgent. We encourage leadership of the Department of Justice, Department of Homeland Security, and the White House to ensure that all necessary steps are taken to reorient the administration's approach to embrace and support legal access programming and access to counsel in the immigration system, and to begin the hard work toward ensuring that all those facing deportation have a lawyer at their side. A first, small step in that hard work is to ensure that harmful and restrictive Trump-era policies have no place in current government contract negotiations of the LOP program.

Signed,

American Gateways
Capital Area Immigrants' Rights Coalition
Catholic Charities Archdiocese of Boston
Catholic Charities of the Archdiocese of Newark
Catholic Charities of the Archdiocese of Washington
Catholic Charities Atlanta
Catholic Charities of Dallas
Catholic Legal Services, Archdiocese of Miami
CCAGH Cabrini Center
Charlotte Center for Legal Advocacy
Diocesan Migrant and Refugee Services
Esperanza Immigrant Rights Project
Florence Immigrant & Refugee Rights Project
Immigrant & Refugee Services, Catholic Charities Community Services, Archdiocese of New York
Immigration Center for Women and Children
Legal Services of New Jersey
Mid-South Immigration Advocates
National Immigrant Justice Center
Northwest Immigrant Rights Project
Pennsylvania Immigration Resource Center
Rocky Mountain Immigrant Advocacy Network