

# Youths Facing Deportation to Be Given Legal Counsel

By [KIRK SEMPLE](#)

JUNE 6, 2014

The Obama administration said Friday that it was starting [a program](#) to provide lawyers for children facing deportation as it scrambles to deal with the soaring number of unaccompanied minors illegally crossing the border from Mexico.

Under the plan, the federal government will issue \$2 million in grants to enroll about 100 lawyers and paralegals to represent immigrant children making their way through the immigration court system.

“We’re taking a historic step to strengthen our justice system and protect the rights of the most vulnerable members of society,” Attorney General Eric H. Holder Jr. said in a statement. “How we treat those in need, particularly young people who must appear in immigration proceedings — many of whom are fleeing violence, persecution, abuse or trafficking — goes to the core of who we are as a nation.”

Since October, more than 47,000 children traveling without parents have been caught trying to cross the southwest border, a 92 percent increase over the same period last year. Most are coming from El Salvador, Guatemala and Honduras, officials said.

The administration has ordered federal emergency authorities to coordinate a multiagency response to the relief effort, and officials have opened two emergency shelters on military bases to house as many as 1,800 youths.

Conservative critics have tied the recent surge of young immigrants to what they view as the Obama administration’s lax enforcement of immigration law. Messages seeking comment on Friday from prominent congressional critics of the administration’s immigration policies were not returned.

Immigrants’ advocates said the initiative was long overdue and extremely welcome.

In criminal court, defendants who cannot afford a lawyer have the right to counsel at the government’s expense. But nothing in the law provides such a benefit in immigration court, not even for children, and immigration law in general provides few protections specifically for minors. According to [a report](#) released in February by Kids in Need of Defense, a nonprofit group that matches unaccompanied minors with volunteer lawyers, and the University of California Hastings College of the Law, a majority of minors who appear in immigration court do not have lawyers representing them.

Immigrants' advocates have long pressed for a federally funded public defender system for unaccompanied minors facing deportation and have redoubled these calls amid the recent influx of young people from Central America.

But even while applauding the new initiative, advocates pointed out that at best it would only touch a fraction of all the unaccompanied minors expected to appear in court in the coming months. Besides the tens of thousands of children under the age of 18 already in deportation proceedings, federal officials predict that at least 60,000 minors will try to cross into the United States without their parents this fiscal year.

"A hundred lawyers nationwide is not going to satisfy our commitment to protecting these children," said Jonathan Ryan, the executive director of the Refugee and Immigrant Center for Education and Legal Services, or [Raices](#), a nonprofit group in San Antonio. "If we have to give lawyers to murderers, then perhaps we should give them to refugee orphans."

When children go to court alone, Mr. Ryan said, the scene that unfolds can be comically tragic, with preschoolers propped in leather-cushioned chairs facing off against federal lawyers. "Some of these children don't even know where they are, or where they're going," he said.

Some lawyers said it was particularly difficult to find lawyers with the highly specialized skills needed to represent such children and warned that unless the participating lawyers were already experienced in the field or received intensive preparation, the program might not achieve its goals.

"They may be well meaning, but they can't do it with an hour's training," said [Lenni Benson](#), a professor at New York Law School and the director of Safe Passage Project, which works with volunteer lawyers and law students to provide representation for unaccompanied immigrant minors.

The new initiative is a collaboration between the Justice Department and the Corporation for National and Community Service, a federal agency that operates the AmeriCorps national service program.

In their public statements on Friday, federal officials did not draw a causal effect between the recent surge of young immigrants who had entered the country illegally and the initiative, instead emphasizing that the program was a byproduct of a congressional directive to the Justice Department last year to better serve children in immigration court.

"The program has been in the works for a really long time," said Samantha Jo Warfield, a spokeswoman for the community service corporation. But, she added, "it's consistent with the administration's efforts to provide a comprehensive response to the influx."

The money will be distributed in the form of grants to nonprofit organizations in 29 cities with large immigrant populations. Those groups would in turn recruit and enroll the lawyers and paralegals for the program.

Each participant will be asked to commit to about a year of service and in exchange will receive a stipend of up to \$24,200 and an award of about \$5,700 that can be used toward tuition or to pay down educational loans.

Federal officials said they anticipated that about 10,000 unaccompanied children would appear in immigration courts in the 29 cities that are the initiative's geographic focus.

Responding to advocates' concerns, officials said that qualified organizations would be able to ensure that their lawyers and paralegals were adept in the intricacies of immigration law for juveniles. In addition, participants will receive additional training during a multiday workshop around the end of the year.

<http://www.nytimes.com/2014/06/07/us/us-to-provide-lawyers-for-children-facing-deportation.html>