



**Testimony for the Senate Judicial Proceedings Committee
January 27, 2021**

**SB 317 – Office of the Attorney General – Right to Counsel in
Immigration Proceedings Coordinator**

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The ACLU of Maryland supports SB 317, which would establish a universal representation program in Maryland for individuals in immigration proceedings who cannot afford legal representation, and ensure that immigrants and their families are supported holistically throughout the entire process of deportation proceedings.

Unlike in criminal cases, there is no right to counsel in civil immigration proceedings, even though the consequences are severe, including the possibility of family separation and deportation, and sometimes persecution and death. Individuals must often navigate a complex legal system alone, and often in a language unfamiliar to them. Without representation, they are less likely to understand the process, file necessary documents, and comply with court appearances, and are thus severely disadvantaged to have a fair chance of winning their case. Recent data shows that approximately 70 percent of individuals are unrepresented in removal proceedings,¹ and only five percent of those without representation managed to obtain relief from deportation.²

In addition to the government's interest in the speedy and efficient adjudication of immigration proceedings, basic concepts of fairness and justice require Maryland to ensure that immigrants facing deportation have equitable access to legal representation. States across the country and local jurisdictions in Maryland, including Baltimore City and Prince George's County, have already developed universal representation programs that are protecting the lives and

¹ Kica Matos and Helen Gym, "One Big Thing Cities Can Do on Immigration," *Bloomberg CityLab*, October 26, 2020. <https://www.bloomberg.com/news/articles/2020-10-26/one-big-thing-cities-can-do-to-protect-immigrants>

² Karen Berberich, Annie Chen, Corey Lazar, and Emily Tucker. "The Case for Universal Representation." Vera Institute of Justice. December 2018. <https://www.vera.org/advancing-universal-representation-toolkit/the-case-for-universal-representation-1>

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livelihoods of immigrants and their families. It is time for Maryland to join them, and ensure that all immigrants in Maryland have the full rights that they deserve.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 317.