

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/publications/a-federal-defender-service-for-immigrants>

Policy Issue Resources

Publication

The Vera Institute of Justice (Vera) recommends that the Biden administration draw from time-tested models, data, and knowledge to build a federally funded, universal legal defense service that provides universal, zealous, and person-centered defense to all immigrants. This federal defender service should be modeled on the criminal federal defender system, which is generally regarded as more successful at realizing the values of high-quality, appropriately funded representation than its state counterparts. Vera makes this recommendation based on years of experience building and managing national immigrant legal defense programs. A federal defender service built on these core values is effective and achievable, and it would help ensure that the lives, liberty, and community health of immigrants are given full and equal protection under the law regardless of status. This policy brief highlights that a federal defender service would address systemic inequities of the immigration system and has widespread support in the United States.

A federally funded, universal legal defense service that provides universal, zealous, and person-centered defense to all immigrants would help address systemic inequities within the immigration system, and would represent a safeguard that is already proven, effective, achievable, and has widespread public support.

Vera has already worked with government partners, legal defense providers, advocates, and impacted people to create, test, and refine national immigrant legal defense programs grounded in universality, zealousness, and person-centeredness.

A federal defender service would combat the burden of racist immigration policies that most severely impact immigrants with criminal convictions, poor immigrants, Black immigrants, and immigrants with severe mental health conditions.

Without a federal defender service, tens of thousands of immigrants, including long-term permanent residents, asylum seekers, and parents of U.S.-citizen children, must face a hostile immigration system without representation.

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