



**SB0317 - Office of the Attorney General – Right to Counsel in Immigration Proceeding Coordinator**  
Presented to the Hon. Will Smith and Members of the Senate Judicial Proceedings Committee  
January 27, 2021 11:00 a.m.

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**POSITION: SUPPORT**

NARAL Pro-Choice Maryland urges the Senate Judicial Proceedings Committee a favorable report on **SB0317 - Office of the Attorney General – Right to Counsel in Immigration Proceeding Coordinator**, sponsored by Delegate Shelly Hettleman.

Our organization is an advocate for reproductive health, rights, and justice. Among our goals is to protect all those of reproductive age including pregnant and parenting individuals within the State of Maryland. However, lack of legal representation for undocumented persons across Maryland has led to higher risk of family separation, a sad and inhumane violation of our organization's values.

According to a study done by the American Immigration Council, after reviewing 1.2 million deportation cases in the U.S. over a span of six years, 63% of immigrants in those cases did not have access to legal representation for their trial.<sup>1</sup> This is a shockingly high percentage of those who enter the court system without legal representation, and with little or no English language proficiency, let alone an understanding how Immigration law works in our country. This same report also showed that "Depending on custody status, representation was associated with a 19 to 43 percentage point boost in rate of case success."<sup>2</sup> Therefore, we know that representation gives the best chance to those facing removal proceedings. Denying these individuals every opportunity to adequately defend themselves in court is unjust and can lead to removals and family separations that otherwise would not have happened with attorneys present.

This legislation will make it mandatory for each immigrant facing removal proceedings to have access to legal representation for their trial. It gives the best chance for each case to be heard fairly and justly in a U.S. court of law and can, according to the data, potentially lead to fewer family separations of pregnant and parenting individuals from their children.

For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0317**. Thank you for your time and consideration.

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<sup>1</sup> Ingrid Eagly and Steven Schafer, "Access to Counsel in Immigration Court," American Immigration Counsel, September 28, 2018, <https://www.americanimmigrationcouncil.org/research/access-counsel-immigration-court#:~:text=In%20it%2C%20we%20reveal%20that,court%20hearings%20without%20an%20attorne...>

<sup>2</sup> Ibid.