



General Assembly

February Session, 2020

**Raised Bill No. 377**

LCO No. 2323



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING ACCESS TO LEGAL COUNSEL FOR CHILDREN IN IMMIGRATION REMOVAL PROCEEDINGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2020*) (a) As used in this section:
- 2 (1) "Eligible respondent" means an individual who (A) is the subject  
3 of a removal proceeding at the Connecticut Executive Office for  
4 Immigration Review, and (B) at the time such proceeding commenced  
5 was (i) an unaccompanied minor, or (ii) under the age of eighteen with  
6 no lawful immigration status in the United States and in the custody of  
7 the federal Department of Health and Human Services; and
- 8 (2) "Unaccompanied minor" has the same meaning as  
9 "unaccompanied alien child", as defined in 6 USC 279(g).
- 10 (b) The Judicial Branch shall establish and administer, within  
11 available appropriations, a legal aid program that shall provide grants  
12 to federally tax-exempt charitable organizations to provide legal  
13 counsel to an eligible respondent. Such grants shall be used to provide  
14 legal counsel to an eligible respondent for the following purposes: (1)

15 Representation in proceedings related to a removal proceeding taking  
16 place at the Connecticut Executive Office for Immigration Review; (2)  
17 family reunification or placement with a sponsor, if the eligible  
18 respondent is detained by federal officials; or (3) applying for temporary  
19 or permanent status.

20 (c) For the fiscal year commencing on July 1, 2020, and each  
21 succeeding fiscal year thereafter, the Office of the Attorney General,  
22 utilizing transfer invoices, shall remit eight hundred thousand dollars  
23 to the Judicial Branch from moneys received by the Office of the  
24 Attorney General in connection with the settlement of any lawsuit to  
25 which the state is a party. Moneys remitted to the Judicial Branch shall  
26 be used for the provision of legal counsel to eligible respondents, as  
27 provided in subsection (b) of this section.

28 (d) Not later than December 31, 2021, and annually thereafter, the  
29 Judicial Branch shall submit, in accordance with section 11-4a of the  
30 general statutes, a report concerning the grants made in the previous  
31 fiscal year under the program established pursuant to subsection (b) of  
32 this section to the joint standing committee of the General Assembly  
33 having cognizance of matters relating to the judiciary. The report shall  
34 include, for each recipient of a grant: (1) The amount of money received  
35 under the program; (2) the number of eligible respondents for whom the  
36 recipient provided legal counsel; (3) the number of cases opened; (4) the  
37 number of cases disposed of; (5) the number of family reunifications or  
38 placements with a sponsor that were assisted by the program; and (6)  
39 the number of eligible respondents who achieved temporary and  
40 permanent status with assistance from the program.

41 Sec. 2. (*Effective from passage*) (a) There is established a task force to  
42 study (1) the unmet legal needs of indigent state residents subject to a  
43 removal proceeding at the Connecticut Executive Office for  
44 Immigration Review, and (2) the mechanisms available in the state to  
45 deliver and pay for legal representation for such indigent state residents.

46 (b) The task force shall consist of the following members:

47 (1) The chairpersons of the joint standing committee of the General  
48 Assembly having cognizance of matters relating to the judiciary, or their  
49 designees;

50 (2) The Chief Public Defender, or the Chief Public Defender's  
51 designee;

52 (3) The executive director of Connecticut Legal Services, or the  
53 executive director's designee;

54 (4) The executive director of Greater Hartford Legal Aid, or the  
55 executive director's designee; and

56 (5) The executive director of the New Haven Legal Assistance  
57 Association, or the executive director's designee.

58 (c) All appointments to the task force shall be made not later than  
59 thirty days after the effective date of this section. Any vacancy shall be  
60 filled by the appointing authority.

61 (d) The chairpersons of the joint standing committee of the General  
62 Assembly having cognizance of matters relating to the judiciary, or their  
63 designees, shall select the chairpersons of the task force from among the  
64 members of the task force. Such chairpersons shall schedule the first  
65 meeting of the task force, which shall be held not later than sixty days  
66 after the effective date of this section.

67 (e) The administrative staff of the joint standing committee of the  
68 General Assembly having cognizance of matters relating to the judiciary  
69 shall serve as administrative staff of the task force.

70 (f) Not later than December 31, 2021, the task force shall submit a  
71 report on its findings and recommendations to the joint standing  
72 committee of the General Assembly having cognizance of matters  
73 relating to the judiciary, in accordance with the provisions of section 11-

74 4a of the general statutes. The task force shall terminate on the date that  
75 it submits such report or December 31, 2021, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	New section
Sec. 2	<i>from passage</i>	New section

**Statement of Purpose:**

To establish: (1) A right to legal representation for certain individuals in immigration removal proceedings at the federal Executive Office for Immigration Review; and (2) a task force to study the unmet legal needs of indigent residents subject to federal immigration removal hearings.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*