



General Assembly

Substitute Bill No. 991

January Session, 2019



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, 2019*) (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

19 temporary or permanent status.

20 (c) For the fiscal year commencing on July 1, 2019, 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, 2020, 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
35 received under the program, (2) the number of eligible respondents for
36 whom the recipient provided legal counsel, (3) the number of cases
37 opened, (4) the number of cases disposed of, (5) the number of family
38 reunifications or placements with a sponsor that were assisted by the
39 program, and (6) the number of eligible respondents who achieved
40 temporary and 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
46 residents.

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

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

50 their designees;

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

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

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

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

59 (c) Any member of the task force appointed under subdivision (1) of
60 subsection (b) of this section may be a member of the General
61 Assembly.

62 (d) All appointments to the task force shall be made not later than
63 thirty days after the effective date of this section. Any vacancy shall be
64 filled by the appointing authority.

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

71 (f) The administrative staff of the joint standing committee of the
72 General Assembly having cognizance of matters relating to the
73 judiciary shall serve as administrative staff of the task force.

74 (g) Not later than December 31, 2020, the task force shall submit a
75 report on its findings and recommendations to the joint standing
76 committee of the General Assembly having cognizance of matters
77 relating to the judiciary, in accordance with the provisions of section

78 11-4a of the general statutes. The task force shall terminate on the date
79 that it submits such report or December 31, 2020, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section
Sec. 2	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 1(a)(1)(B), "is or was" was changed to "was" for accuracy and in Section 1(a)(1)(B)(i), "accompanied minor" was changed to "unaccompanied minor" for consistency with the defined term.

JUD *Joint Favorable Subst.*