

# REPORT OF THE CHIEF LEGISLATIVE ANALYST

---

DATE: March 10, 2025

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso

Chief Legislative Analyst

Council File No.

25-0002-S5

Assignment No.

25-02-0150

SUBJECT: Resolution (Soto-Martínez – Hernandez) to SUPPORT legislative and/or administrative action to increase funding for immigration removal defense in California.

CLA RECOMMENDATION: Adopt Resolution (Soto-Martínez – Hernandez) to include in the City's 2025-2026 State Legislative Program, SUPPORT for any legislative and/or administrative action that would increase funding for immigration removal defense in California.

## SUMMARY

Resolution (Soto-Martínez – Hernandez), introduced on February 4, 2025, states that according to a 2020 report, immigrants are five times more likely to secure deportation relief and are less susceptible to unscrupulous immigration practitioners when they have qualified legal representation. The Motion further states that between Fiscal Years 2022-2024, the California Department of Social Services Removal Defense Program provided \$22.5 million to eligible nonprofit organizations for pro bono immigration removal defense assistance in California. However, immigrant advocates have stated that the funding is insufficient. In November 2024, more than 250 immigrant advocacy organizations requested \$15 million from State legislators and the Governor for additional immigrant support amid threats of increased immigration enforcement by the new administration. The Motion states that the additional funding would support rapid response networks, increase legal representation, and expand resources to immigrants in isolated and rural areas. The Motion states that additional funding for immigrant removal defense would protect against the separation of families, the destabilization of communities and workplaces, and the withdrawal of individuals from civic and social activities. The Resolution therefore requests that the City support any legislative and/or administrative action that would increase funding for immigration removal defense in California.

## BACKGROUND

The U.S. immigration court system recognizes the right to counsel, but does not provide immigrants the right to a court-appointed attorney for those who cannot pay for one, even for children. Since 2013, jurisdictions across the U.S. have allocated public funding for immigration legal services to better support their immigrant residents. Funding has ranged from \$100,000 in the city of Baltimore to \$45 million in the State of California. Publicly funded legal services for immigrants have also varied widely, with some jurisdictions focusing exclusively on assistance to immigrants in removal proceedings, while others provide holistic support through outreach, mental health and wellness programs, and assistance with affirmative legal benefit petitions.

In January 2025, the Department of Justice issued a memo to immigrant legal service providers who receive federal funding to stop providing legal orientation and related services intended to support immigrants at

immigration courts. The memo halted services provided through the Legal Orientation Program, Immigration Court Helpdesk, Family Group Legal Orientation Program, and the Counsel for Children Initiative. Legal service providers argued that the suspension of these programs could leave hundreds of thousands of immigrants without access to basic legal information and representation. The memo was rescinded a week and a half later.

On February 18, 2025, the U.S. Department of the Interior issued a memo to halt funding for the Unaccompanied Children Program, which provides legal representation to unaccompanied minors in immigration court, affecting 26,000 unaccompanied minors with pending cases, including 4,000 in California. Acacia Center for Justice, a nonprofit organization contracted to administer the nationwide Unaccompanied Children Program, receives approximately \$200 million in federal funds annually and works with 99 service providers to offer children legal counsel and services. The memo was rescinded a few days later.


On February 19, 2025, President Trump signed Executive Order 14218 directing the heads of executive departments and agencies to identify all federally funded programs that permit undocumented immigrants to obtain any cash or non-cash public benefits. The Order further directed departments and agencies to ensure that federal payments to states and localities do not facilitate the subsidization or promotion of undocumented migration or aid “sanctuary city” policies, among other actions.

The California Welfare and Institutions Code 13302-13307 authorizes the California Department of Social Services (CDSS) to fund qualified nonprofit organizations to provide legal services to immigrants residing in or formerly residing in the State through the Immigration Services Funding (ISF) program. The Removal Defense Program, funded by the ISF, provides representation in removal defense proceedings, expands access and referrals, and builds capacity and expertise of organizations that provide services across the State. In 2022-2024, CDSS’ Immigration Services Bureau provided \$23.8 million in funding to 27 nonprofit organizations for removal defense services. The total immigration court backlog of children and adults is currently at a record high of 3.5 million cases.

Support for removal defense funding aligns with previous City efforts provide immigration legal services through the Los Angeles Justice Fund (C.F. 17-0046), and detained and non-detained merits-blind removal defense to immigrants through RepresentLA (C.F. 17-0046-S2, 17-0046-S3).

#### DEPARTMENTS NOTIFIED

Community Investment for Families Department

  
Susan Oh  
Analyst

Attachment: Resolution (Soto-Martínez – Hernandez)

# RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, Los Angeles County is home to more than 3.6 million immigrants, including an estimated 800,000 undocumented individuals; and

WHEREAS, the incoming administration has campaigned on threats of increased immigration enforcement and "the largest deportation operation in American history," while the U.S. Senate is advancing a bill to require the deportation of undocumented immigrants charged with minor crimes; and

WHEREAS, a 2020 report from the Grantmakers Concerned with Immigrants and Refugees stated that immigrants are five times more likely to secure relief from deportation and are less susceptible to unscrupulous immigration practitioners when they have qualified legal representation; and

WHEREAS, from Fiscal Year 2022-2024, the California Department of Social Services provided \$22.5 million through the Removal Defense Program to eligible nonprofit organizations for pro bono immigration removal defense assistance throughout the State; and

WHEREAS, immigrant advocates have stated that the funding was insufficient to support immigrants subject to deportation and in November 2024, more than 250 California immigrant advocate organizations requested \$15 million from State legislators and Governor Newsom for additional immigrant support before the start of the new administration; and

WHEREAS, this additional funding would support rapid response networks, increase legal representation, and expand resources to immigrants in isolated and rural areas; and

WHEREAS, additional funding for immigrant removal defense would protect against the separation of families, the destabilization of communities and workplaces, and the withdrawal of individuals from civic and social activities;

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program, sponsorship and support of any legislative and/or administrative action that would increase funding for immigration removal defense in California.

PRESENTED BY:

HUGO SOTO-MARTINEZ  
Councilmember, 13<sup>th</sup> District

SECONDED BY:

ORIGINAL

SO

*MAD*

FEB 04 2025