

The Impact of Legal Representation on Detained Immigrants Facing Deportation: Evidence from the MIDA Program

Executive Summary

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April 2026

Evidence from a randomized study shows that universal legal representation programs significantly improve outcomes for people in immigration detention during removal proceedings—promoting fairness and upholding due process within a complex immigration system.

Restrictive immigration policies that increase immigration enforcement and support mass deportation can have dire consequences.¹ Evidence shows they lead to family separations, worsen mental and physical health among immigrants and their families, and have radiating negative social and economic impacts.² Every year, millions of immigrants face removal from the United States as their cases go through the immigration court system.³ And the number of people facing removal has been growing dramatically: In the Chicago immigration court—the locus of this study—the backlog of pending removal proceedings increased more than eightfold in just 10 years, from 25,000 cases in June 2015 to 228,000 in June 2025.⁴ Despite the grave consequences of a removal order, the right to a government-funded attorney for people who cannot afford one does not apply to people facing deportation in immigration court as it does to people facing charges in criminal court.⁵ Consequently, the majority of people in removal proceedings appear before the court without an attorney: As of June 2025, there were 3.5 million removal proceedings pending in U.S. immigration courts.⁶ People in 2.1 million of these proceedings did not have legal representation.⁷

Among people in removal proceedings, hundreds of thousands each year are detained by immigration authorities.⁸ Even while detained, immigrants in this system do not have the right under U.S. law to government-provided counsel if they cannot afford to hire their own attorney, as the U.S. government considers immigration detention

a civil, rather than criminal, matter.⁹ Due to the serious repercussions immigration detention and removal can have on people’s lives, combined with the complexity of immigration court proceedings, many entities have been working to increase the provision of government-funded legal representation. Since 2013—when the first publicly funded deportation defense program was piloted in New York City—at least 70 jurisdictions, including 13 states, have publicly funded deportation defense at a state or local level.¹⁰ As investments in publicly funded defense increased, so did the number of people in removal proceedings with representation: As of June 2025, the number of people in removal proceedings with representation had increased more than eightfold from 10 years prior.¹¹

With increased investment comes increased need for evidence of the impacts and effectiveness of deportation defense programs at scale. This report by the Vera Institute of Justice (Vera) builds upon prior research—which has demonstrated the benefits associated with having legal counsel—by presenting the first randomized study of a legal representation program. The randomized nature of the study allowed researchers to analyze the degree to which the improved outcomes of people with legal representation were a direct result of that representation. The study, which Vera carried out in the Chicago immigration court between March 2022 and May 2025, finds that legal representation has significant, positive impacts on both case outcomes and due process in immigration proceedings.

The Midwest Immigrant Defenders Alliance (MIDA) is a collaborative deportation defense program in Illinois. MIDA provides legal representation to people in the Chicago immigration court who are detained at the time of the first hearing of their removal proceedings—people on what the immigration courts refer to as the “detained docket” or in “detained proceedings.” In 2022, MIDA developed an intake model in which the program’s attorneys offer their services on certain days of the week to as many eligible people as possible. MIDA set up this model for programmatic rather than research reasons—to ensure they were offering legal representation equitably and without discrimination. However, this program design allowed researchers to conduct a randomized, causal study on the impact of legal counsel for people in detained proceedings who do not already have representation. The four legal service providers that comprised MIDA during the period of study were the National Immigrant Justice Center, the Law Office of the Cook County Public Defender, The Immigration Project, and The Resurrection Project, though the collaborative has grown to include other organizations since then. Vera was not involved in the administration of the MIDA program but received funding to carry out an independent evaluation of the program.

The results of Vera’s analyses show that the MIDA program had significant, positive impacts on clients’ cases and show the degree to which attorneys were the *cause* of the improved outcomes, rather than merely being *associated* with them. The statistical models Vera used controlled for other

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factors that may have impacted a person's outcomes, including their region of origin, language, and removal charges; whether the person's country of origin made them more likely to be an asylum seeker or eligible for Temporary Protected Status; the timing of the case; and the immigration judge. The cases in Vera's sample spanned the Biden administration and the beginning of the second Trump administration, and Vera found that the positive impacts of the MIDA program persisted even as the presidential administration changed and implemented new policies. The positive impacts also persisted across judges who demonstrated different levels of leniency and strictness. Importantly, Vera was able to determine that the results were not driven by a narrow set of case characteristics or the demographics of the people in the sample.

Key findings

- › **Being represented by a MIDA attorney increased people's likelihood of being granted relief by 366 percent relative to similarly situated nonclients.**¹² Put another way, having a MIDA attorney made clients 4.7 times more likely than nonclients to be granted relief and therefore to receive full protection from removal.
- › **Providing access to the MIDA program results in 22 percent more people receiving a case outcome that allows them to remain in the United States.** If the MIDA program were available to every eligible person in removal proceedings on the Chicago detained docket, 22 percent more people would remain in the United States than if the program were not available.¹³ This would be the impact of the MIDA program overall, taking into account that some people would refuse the services offered to them.
- › **Being represented by a MIDA attorney increased people's likelihood of being released on bond set by an immigration judge by 46 percent compared to similarly situated nonclients.** MIDA attorneys were able to impact the outcome of bond hearings, allowing more people to be released from immigration detention, by assisting clients to secure bond when they were legally entitled to it.
- › **Compared to the cases of similarly situated nonclients, MIDA attorneys advanced due process by filing more motions—particularly substantive motions—on behalf of their clients.** For every 100 MIDA clients and 100 similarly situated nonclients, MIDA clients had 48 more total motions filed, including 20 more substantive motions, than nonclients.
- › **Vera's analysis did not find evidence that MIDA clients filed more applications for relief, even though their chances of being granted relief were greater than other similarly situated nonclients.** This suggests that MIDA representation did not impact how many applications were filed but rather impacted how effectively the applications were identified, prepared, or litigated.
- › **Vera's analysis suggests that people who took up MIDA services had more challenging cases, or less straightforward legal circumstances, than those who declined, even though their cases looked similar on paper.** In spite of this challenging context, MIDA was impactful on case, bond, and due process outcomes.

- › **Offering services at people’s first hearings—as in the MIDA program’s model during the period of study—might have resulted in fewer people accepting services than if intake happened at an earlier point in case processing.** A model in which people in detained proceedings are offered representation before the day of the first hearing might increase the number of people who can benefit from representation. However, the implementation of an earlier touch model—especially in remote representation settings—would require the cooperation of U.S. Immigration and Customs Enforcement with legal service providers to facilitate connections between MIDA attorneys and potential clients.
- › **Vera did not find evidence of meaningful differences in MIDA’s impact across presidential administrations, except in finding that the number of motions filed increased under the Trump administration.** This latter finding is consistent with a more restrictive or procedurally demanding court environment, in which legal representation becomes even more important in helping people participate in their cases using formal processes.
- › **MIDA was broadly effective, even across judges of different baseline levels of leniency or strictness.** Vera found that the immigration judges differed substantially in their propensity to grant different outcomes, even after accounting for demographic and case characteristics and legal representation. However, the results show that being assigned to one judge versus another did not erode the positive impacts of the MIDA program.

Endnotes

- 1 Altaf Saadi, Caitlin Patler, and Paola Langer, “Duration in Immigration Detention and Health Harms,” *JAMA Network Open* 8, no. 1 (2025), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC11762235>; Altaf Saadi, Maria-Elena De Trinidad Young, Caitlin Patler et al., “Understanding U.S. Immigration Detention: Reaffirming Rights and Addressing Social Structural Determinants of Health,” *Health and Human Rights Journal* 22, no. 1 (2020), 187–197, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7348446>; Emily Ryo, Jennifer M. Chacón, and Cecilia Menjivar, “Criminalization of Immigration,” *Russell Sage Foundation Journal of the Social Sciences* 11, no. 3 (2025), 282–343, <https://doi.org/10.7758/RSF.2025.11.3.07>; and Warwick J. McKibbin, Megan Hogan, and Marcus Noland, *The International Economic Implications of a Second Trump Presidency* (Washington, DC: Peterson Institute for International Economics, 2024), <https://www.piie.com/publications/working-papers/2024/international-economic-implications-second-trump-presidency>.
- 2 Ibid.
- 3 Executive Office for Immigration Review, “EOIR Case Data (June 2025),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

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Vera works to end mass incarceration, protect immigrants’ rights, ensure dignity for people behind bars, and build safe, thriving communities. For more information, visit vera.org.

The full report plus details of the study’s methodology can be found at www.vera.org/publications/the-impact-of-legal-representation-on-detained-immigrants-facing-deportation. For more information about the report, contact urep@vera.org. For media requests, contact media@vera.org.

This work was supported by funding from the J.B. and M.K. Pritzker Family Foundation and the Walder Foundation.

- 4 For the evaluation described in this report, which studied the impact of legal representation on case outcomes for removal proceedings in the Chicago immigration court, Vera used outcome data through May 31, 2025. To provide the relevant context to this study, Vera calculated other statistics through June 2025. The number of pending removal proceedings in the Chicago immigration court grew from 24,808 in June 2015 to 228,486 in June 2025 (or by 813 percent). Executive Office for Immigration Review, “EOIR Case Data (June 2025),” database, <https://www.justice.gov/eoir/foia-library-0>.
- 5 *Gideon v. Wainwright*, 372 U.S. 335 (1963).
- 6 As of June 2025, there were 3,453,501 pending removal proceedings nationwide. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”
- 7 As of June 2025, of the 3,453,501 pending removal proceedings, people in 2,094,037 removal proceedings did not have legal representation (61 percent). Executive Office for Immigration Review, “EOIR Case Data (June 2025).”
- 8 From July 2024 through June 2025, 107,287 new removal proceedings were initiated for people in immigration detention. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”
- 9 Immigration and Nationality Act 8 U.S.C. § 1362 (2025); Immigration and Nationality Act 8 U.S.C. § 1226 (2025); Immigration and Nationality Act 8 U.S.C. § 1231 (2025); and *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
- 10 Jennifer Stave, Peter Markowitz, Karen Berberich, et al., *Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity* (New York: Vera Institute of Justice, 2017), <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>; information on jurisdictions providing government-funded defense on file at Vera.
- 11 As of June 2025, people in 1.3 million removal proceedings had legal representation compared to 160,000 in June 2015, a 697 percent increase. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”
- 12 “Nonclients” refers to people who were not MIDA clients but met the eligibility criteria for MIDA representation (that is, they were unrepresented at their initial master calendar hearing and met the income requirement). Thirty percent of nonclients went on to find other counsel later in their proceedings. Vera Institute of Justice, “Safety and Fairness for Everyone Database,” on file at Vera (New York: Vera Institute of Justice, July 16, 2025); Chicago Immigration Court, “IJ Hearing Calendar - Redacted - Detained,” spreadsheets (Chicago: Chicago Immigration Court, April 25, 2022, through April 4, 2025); National Immigrant Justice Center, “MIDA A# Tracking,” private spreadsheet (Chicago: National Immigrant Justice Center, June 15, 2025); and Executive Office for Immigration Review, “EOIR Case Data (June 2025).”
- 13 As further described in Section 5.1.1 of the full report, some of the case outcomes that permit a person to remain in the United States grant only partial protection and/or do not provide a pathway to citizenship or permanent legal status (for those who do not already have it). Therefore, people who receive these case outcomes are allowed to remain in the United States at least temporarily, though not necessarily permanently.