

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

Executive Summary

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 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 a client'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.

1. Introduction

Restrictive immigration policies aimed at increasing immigration enforcement and supporting mass deportation can have dire consequences.¹⁴ Evidence shows they lead to family separations, worsen mental and physical health among immigrants and their families, and can have radiating negative social and economic impacts.¹⁵ Every year, millions of immigrants face removal from the United States as their cases go through the immigration court system.¹⁶ 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.¹⁷ Consequently, despite the grave consequences of a removal order, the majority of people in removal proceedings appear in immigration court without an attorney: In June 2025, there were 3.5 million removal proceedings pending in U.S. immigration courts that could result in removal from the United States.¹⁸ People in 2.1 million of these proceedings did not have legal representation.¹⁹ Among people in removal proceedings, hundreds of thousands each year are detained by immigration authorities.²⁰ 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.²¹

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 to people in removal proceedings. 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.²² 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.²³

With increased investment comes increased need for evidence of the impacts and effectiveness of these deportation defense programs at scale. This study by the Vera Institute of Justice (Vera), carried out on 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.

Past studies have already suggested that people in immigration proceedings who have legal counsel experience better case outcomes than those without. For example, Vera previously studied the New York Immigrant Family Unity Project (NYIFUP)—a city-funded pilot that provided deportation defense to detained people—and found the program had positive impacts on people's cases.²⁴ However, there have been few opportunities to study universal representation pilot programs, and many other studies in this field have been hampered by one simple fact: In many immigration court settings, lawyers choose their clients and clients choose their lawyers. It is possible that lawyers are more likely to select cases that are already positioned to achieve better outcomes, or that people with such cases are better able or motivated to find and secure representation. As a result, these studies cannot say with confidence whether the better outcomes were a direct result of having legal representation or whether they were a result of the characteristics of those cases. This means that much of the existing evidence has only been able to show a *correlation* between having legal representation and improved immigration court outcomes.

Often, the best way to provide an answer to the question “What is the impact of an intervention [such as a legal representation program]?” is to implement a randomized control trial (RCT). In an RCT, researchers randomly assign people to either receive some sort of intervention or not, and then compare the outcomes of the two groups of people. Conducting an RCT in the context of immigration court—providing some people with legal assistance while deliberately excluding others for the sake of the study—would pose insurmountable ethical concerns. However, the Midwest Immigrant Defenders Alliance (MIDA)—a collaborative deportation defense program in Illinois—was set up in a way that allowed a study of this sort to occur naturally and, therefore, ethically.

Under MIDA's intake model, attorneys offered legal representation on certain days of the week to as many people as possible in the Chicago immigration court who met the program's eligibility criteria and who were detained at the time of the first hearing in their removal proceedings on what the immigration courts refer to as the “detained docket,” or in “detained proceedings.” MIDA set up this intake model, which was similar to other programs, for programmatic rather than research reasons: to ensure MIDA attorneys were offering legal representation equitably and without discrimination. Due to capacity constraints, MIDA could not offer services to everyone on the Chicago detained docket. Therefore, at random, they offered services to some eligible people and not to others. (That is, when people were not offered MIDA representation, this was purely a function of MIDA attorneys'

capacity and not based on need.) This setup effectively created the conditions of an RCT, without ethical concerns. Vera's study of MIDA, reported here, builds upon the prior research by presenting the first *randomized* study analyzing whether and to what degree the better outcomes were a direct result of having representation.

Vera was not directly involved in the administration of the MIDA program itself but, to conduct this study, worked with the four legal service providers that comprised MIDA during the evaluation period: the National Immigrant Justice Center, the Law Office of the Cook County Public Defender, The Immigration Project, and The Resurrection Project. Over the three-year evaluation period, Vera produced a series of three reports. The first interim report provides an overview of the program design and summary statistics of MIDA clients in the first year.²⁵ The second interim report provides a noncausal comparison of MIDA clients and others on the Chicago detained docket.²⁶ It also contains a discussion of systemic biases in the immigration system, programmatic strengths and weaknesses, and a projection of the resources that would be needed to scale the program.²⁷ This is the third and final report in the evaluation, in which Vera studied the impact of legal counsel for people in detained proceedings who did not already have representation and who otherwise could not afford it, by answering two research questions:²⁸

1. What would the impact of programs like MIDA be at scale?
2. What is the impact of being represented through programs like MIDA on individual clients' outcomes?

Vera answered the first question through a series of analyses looking at the impact of the program as a whole among those eligible for it. In other words, Vera examined the broad impact of *having MIDA attorneys present to offer representation* at people's first hearings, accounting for the fact that not everyone accepts the offer (what researchers call an "intention-to-treat" study). Vera answered the second question through a series of analyses looking at the impact of actually participating in the program among those eligible for it. That is, Vera examined the impact of *having MIDA representation* for those who took it up (what researchers call a "treatment-effect-on-the-treated" study).

Because of the intake model and methodologies used, the results presented are the *causal* impacts of MIDA. This means that the results presented show the degree to which any improved outcomes are a direct result of being represented by an attorney: The random nature of MIDA's intake model means that any positive outcomes observed are *not* the result of attorneys choosing to work with people who have stronger cases. In the majority of cases, due to funding restrictions and capacity constraints, MIDA attorneys represent their clients throughout their time in immigration detention but cease doing so if the client is released. Therefore, the results from Vera's analyses show the impacts of representation from the start of a person's proceedings through the detained portion of their case.

In each series of analyses used to answer questions one and two, Vera measured impact in several ways. First, for each question, Vera analyzed the impact on individual people's case outcomes and bond outcomes. Case outcomes pertain to the decision made by an immigration judge at the end of a person's case. Bond outcomes pertain to decisions made by U.S. Immigration and Customs Enforcement (ICE) or an immigration judge that would result in a person being released from immigration detention while their case was still pending. In addition, Vera sought to understand the role the MIDA program plays in upholding due process. To do so, for each question, Vera examined the program's impact on the number and types of court processes utilized in the detained removal

cases—including the filings of motions and applications for relief—that may change the trajectory of a person’s proceedings.

The results of Vera’s analyses show that the MIDA program had statistically significant, positive impacts on clients’ cases. Being represented by a MIDA attorney increased the likelihood of being granted relief by 366 percent and of being released on bond set by an immigration judge by 46 percent, compared to similarly situated nonclients.²⁹ Furthermore, MIDA clients had more motions—particularly substantive motions—filed on their behalf than similarly situated nonclients. If MIDA were scaled up, 22 percent more people on the Chicago detained docket would remain in the United States than if the program were not available.³⁰ These statistics showcase the improvements to outcomes *caused* by MIDA. Vera’s analytical approach controlled for other factors that may impact a person’s outcomes, including the person’s region of origin, language, and removal charges; whether the person was from a country that 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 positive impacts of the MIDA program persisted even as the presidential administration changed and implemented new policies. And Vera found the program to have positive impacts across judges of different levels of leniency or strictness. Furthermore, the results were independent of the specific case characteristics or the demographics of the people in the sample.

2. Background on Immigration Detention, Removal, and the National Landscape

2.1. What is immigration detention?

Each year, hundreds of thousands of people facing removal from the United States are subjected to immigration detention in a network of hundreds of facilities managed or contracted by two federal enforcement agencies— U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection.³¹ These agencies may detain adults, children, or families.³² Unlike criminal incarceration, immigration detention is considered civil and therefore should not be used as a form of punishment, despite the fact that the conditions mirror those of criminal incarceration and the detention often occurs in current and former jails and prisons.³³ Instead, the purported justification for civil immigration detention is to ensure that the person appears at their removal hearings or that they comply with removal orders.³⁴ However, past research illustrates that detention is not necessary to ensure that people appear at their court hearings and has documented the harms to health and well-being that immigration detention inflicts on people in custody, their families, and their communities.³⁵

Many people in immigration detention have never had any contact with the criminal justice system.³⁶ For those who have, their time in custody may be extended if they are transferred to immigration detention after completing a sentence in jail or prison because of their immigration status.³⁷ Others may have had the criminal charges against them dismissed or have received a noncustodial sentence (such as probation) but are later detained in immigration detention facilities due to their immigration status.³⁸

People in immigration detention may be released while their immigration case is pending. The mechanisms for this vary by circumstances but can form part of a person’s removal proceedings. First, ICE has discretionary power to release people with a pending final outcome—such as through release on recognizance, on an order of supervision, or by setting an ICE bond that a person may or

may not be able to pay.³⁹ ICE uses its own internal agency guidelines in determining whom to release.⁴⁰ In such instances, the person may be released without a bond hearing in immigration court.⁴¹ In other cases, people in detention or their attorneys may request a bond hearing before an immigration judge while their removal proceedings are ongoing.⁴² The judge determines whether they may be released back into the community and may set bond either for the first time (if no ICE bond was set) or may set a redetermined bond amount.⁴³ A person may have one or more bond hearings.⁴⁴

2.2. What are removal proceedings?

The executive branch of the United States has broad authority to remove people from the country.⁴⁵ The people covered by this authority include people who are undocumented, those seeking admission to the United States, lawful permanent residents (green card holders), and noncitizens of all legal statuses—such as people residing on temporary student or work visas.⁴⁶ When the U.S. Department of Homeland Security (DHS) accuses a person of violating immigration law or of having a criminal conviction that may make them removable, in certain circumstances, the agency initiates removal proceedings against the person according to the rules set forth in the Immigration and Nationality Act, section 240 (“240 proceedings”).⁴⁷ These 240 proceedings encapsulate the process through which those charges are brought before an immigration judge and eventually adjudicated in an immigration court.⁴⁸ Certain people who are ineligible for 240 proceedings but who have demonstrated a reasonable fear of persecution or torture in their home country are placed in “withholding-only” proceedings, in which a judge can grant more limited relief from removal, though not full relief.⁴⁹ There are some circumstances, described in the next section, in which people are subjected to “summary removal” and do not have the opportunity to present their case before a judge. There are other, less-common types of limited proceedings—those that involve a credible fear review, reasonable fear review, claimed status review, or asylum-only proceedings, for example—in which the government has already determined a person must be removed unless a judge finds they qualify for certain types of protection.⁵⁰

The U.S. immigration courts are part of the U.S. Department of Justice’s (DOJ) Executive Office for Immigration Review (EOIR).⁵¹ Despite the gravity of deportation, removal proceedings are considered civil proceedings, and immigration laws and courts—and people’s rights within them—differ from those within the criminal justice system.⁵²

Equity considerations: biases in the criminal justice system can shape biases in removal proceedings

As noted, many people in immigration detention have never had any contact with the criminal justice system.^a However, for those who have, systemic biases that exist in the criminal justice system can spill over into immigration enforcement. First, these biases can impact the likelihood that a person comes into contact with the immigration system at all via the “cimmigration” pipeline.^b Some local law enforcement agencies have agreements in place to transfer relevant people in their custody to immigration authorities; when police officers in that jurisdiction disproportionately target certain noncitizen groups, then those same groups will face increased risks of being transferred to immigration detention and of being deported.^c

Furthermore, systemic biases from the criminal justice system can directly impact a person’s removal proceedings through how the law is applied.^d For example, immigration judges may rely on police reports as evidence in their decision-making—reports which may, in and of themselves, carry officers’ biases.^e It is also important to note that even people who never make contact with the criminal justice system face racial profiling by immigration enforcement officials directly.^f

Sources:

^a As of June 6, 2025, of the 51,302 people currently detained as reported by ICE, 15,193 had a criminal conviction, 13,671 had pending charges, and 22,438 had no conviction history. Vera’s archive of ICE, “Detention Statistics – Detention FY 2025 YTD, Alternatives to Detention FY 2025 YTD and Facilities FY 2025 YTD, Footnotes [datasets archived since October 6, 2019],” <https://www.ice.gov/detain/detention-management>.

^b Jacquelyn Pavilion, Neil Agarwal, Nico Montano, and Adena Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two Progress and Recommendations for Scaling* (New York: Vera Institute of Justice, 2025), 18–19, <https://www.vera.org/publications/evaluating-the-impact-of-the-midwest-immigrant-defenders-alliance-year-two>.

^c *Ibid.*, 18–19.

^d *Ibid.*, 19–20.

^e *Ibid.*, 19–20.

^f Avi Siegal, “Balancing in the Shadows of *Noem v. Vasquez Perdomo*,” Notice & Comment, *Yale Journal on Regulation*, September 24, 2025, <https://www.yalejreg.com/nc/balancing-in-the-shadows-of-noem-v-vasquez-perdomo-by-avi-siegal>.

2.3. How do detained proceedings differ from nondetained proceedings?

Because the immigration detention system is a federal system, ICE can transfer people to almost any detention center within its network, meaning people are often detained far away from their families and support networks.⁵³ ICE has the power to transfer people to detention facilities hundreds—even thousands—of miles from their existing counsel or to areas with a low availability of immigration attorneys, or “legal deserts.”⁵⁴ As a result, attorneys often must represent their clients remotely, and communication with clients in detention centers presents many challenges.⁵⁵ Indeed, detention can create numerous obstacles as people try to build their defense; for people in immigration detention, especially those who are unrepresented, gathering evidence or communicating with family is challenging and costly. Often, even when people do have representation, attorneys face barriers to confidential client communication and access to the facilities, making it difficult for them to gather information, prepare court filings in a timely manner, and represent their clients.⁵⁶

In the context of this study, people on the Chicago immigration court detained docket were often held in facilities far from the court. Since Illinois passed the Illinois Way Forward Act in 2021, restricting detention in the state, Illinois residents have been detained in Wisconsin, Indiana, and Kentucky—and, in 2025, even farther afield in states like Texas and Louisiana—far from their communities or Illinois legal service–providing organizations.⁵⁷ The entire Chicago detained docket

uses video-teleconferencing (VTC) to adjudicate all of its hearings. Although, nationally, the majority of detained dockets are moving toward VTC, there have been long-standing concerns about the fairness of VTC relative to in-person hearings. Eagly (2015) found that people assigned to VTC courtrooms were more likely to be issued with an order of removal due to reduced engagement with the removal process (for example, people were less likely to retain counsel, apply for benefits, or seek voluntary departure).⁵⁸

Removal proceedings for people in immigration detention generally proceed much faster than for people who are released from detention or who were never detained.⁵⁹ Among removal proceedings that closed in the Chicago immigration court during the evaluation period (March 1, 2022, through May 31, 2025), the average length of a detained proceeding was 451 days, compared to 915 days for people who were never detained.⁶⁰ Even though their cases may be resolved in a relatively faster manner, people can still face prolonged periods of immigration detention, and there are many mechanisms in place that can prevent someone from being released while their case progresses. For example, many people are subject to mandatory detention and are unable to even access bond without a writ of *habeas corpus* being filed on their behalf in federal court. Others may not have a bond set or, if bond is set, are unable to pay. A period of detention might be extended even further if a person is awaiting the adjudication of their case through a lengthy appeals process.

Under the second Trump administration, policies guiding the application of the laws in immigration court relating to detention and release are rapidly changing. In a July 2025 policy memorandum, several immigration policy changes expanded the groups of immigrants subjected to mandatory detention.⁶¹ And in September 2025, the Board of Immigration Appeals' (BIA) decision in *Matter of Yajure Hurtado* held that immigration judges lack authority to grant bond hearings to people who entered the United States without admission or parole, significantly expanding the number of people subjected to mandatory detention even further.⁶² However, in November 2025, a federal court in California invalidated this decision and restored immigration judges' authority to grant or hear bond requests of certain people who are detained.⁶³

2.4. Does every removed or returned person go through removal proceedings?

Not everyone who is required to leave the United States—including many people in immigration detention—receives an immigration court hearing. Indeed, despite the fact that millions of people's removal proceedings are pending in the immigration court system, the majority of people removed or returned from the United States have not gone through removal proceedings before an immigration court (or have not done so recently).⁶⁴ This happens in the following situations:

- **Expedited removal:** This applies to people seeking admission at a port of entry who are deemed “inadmissible” because of fraud, misrepresentation, or lack of proper entry documents, among other reasons. It also applies to people anywhere in the United States who entered without inspection and are unable to prove they have been physically present in the country for more than two years.⁶⁵ People who indicate a fear of persecution or torture in their country of origin or an intent to apply for asylum should not be subjected to expedited removal following completion of a Credible Fear Interview.⁶⁶
- **Reinstatement of prior removal orders:** This applies to people who received an order of removal in the past but who are present in the United States.⁶⁷ Upon re-apprehension, people with prior orders of removal are scheduled for removal without further judicial review.
- **Expulsion for public health–related reasons:** Some people are refused entry to the country or are blocked from seeking asylum at a port of entry or the border for public health–related

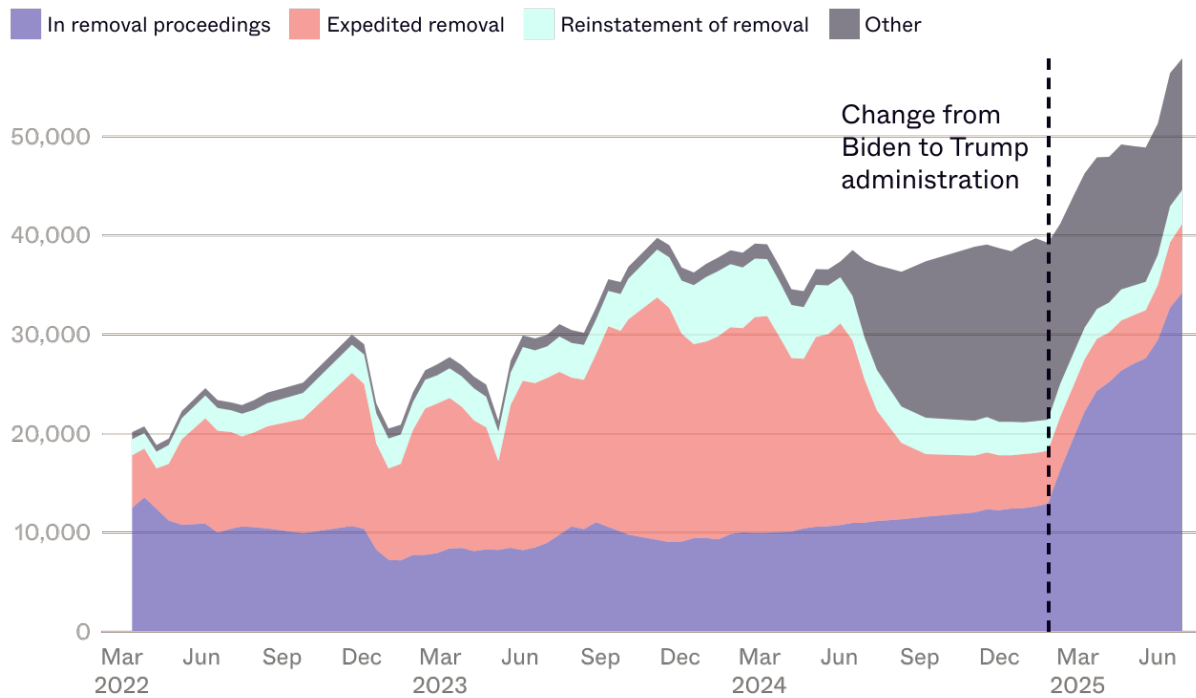
reasons under Title 42 (which was employed at U.S. borders during the COVID-19 pandemic).⁶⁸ Expulsions do not result in a removal order.

- **Other returns:** Some people leave or are required to depart the country without being formally removed. This can happen via voluntary return, following withdrawal of applications for admission, or as a departure pursuant to CBP Home for people not in immigration proceedings.⁶⁹ Departure without a formal removal can also happen for crew members without entry visas who must remain aboard their ships.

These types of out-of-immigration-court returns and removals reached an all-time high during the COVID-19 pandemic, during which a public health provision—Title 42—was used to forcibly return people arriving at U.S. borders without judicial review.⁷⁰ However, since Title 42 expulsions stopped in May 2023, following the Centers for Disease Control and Prevention’s End of the Federal COVID-19 Public Health Emergency (PHE) Declaration, other types of out-of-court returns have substantially increased.⁷¹

Figure 1 shows the detained population in the United States and the share who were in removal proceedings during the MIDA evaluation period. Although people facing immigration detention and removal through channels outside of the immigration court system are also in need of legal representation, this paper looks at the impact of legal counsel on *people in immigration detention who are in removal proceedings* in the immigration court. As Figure 1 shows, this population in particular increased rapidly at the start of the second Trump administration.

Figure 1
Currently detained population nationwide, by immigration court status



Source: Vera’s archive of U.S. Immigration and Customs Enforcement, “Detention Statistics – Detention FY (2022 to 2025) YTD, Facilities FY (2022 to 2025) YTD, Footnotes (datasets archived February 27, 2022 to June 29, 2025),” <https://www.ice.gov/detain/detention-management>.

Note: The U.S. Office of Homeland Security Statistics changed the classification of “administrative returns” in April 2024.^a Prior to then, the definition did not include “people who withdrew their application for admission in which expedited removal of immigration proceedings were not considered,” but starting in April 2024 this population was included. Immigration and Customs Enforcement (ICE) categorizes the currently detained population into the four processing dispositions listed in this graph. Vera believes that ICE included people who withdrew their application for admission in “Expedited Removals” prior to April 2024 and reclassified this population into “Other” starting in April 2024. Vera believes this reclassification explains the drop in the detention population under processing disposition “Expedited Removal” and the rise in the detention population under the “Other” processing disposition a few months after this policy shift.

^a U.S. Office of Homeland Security Statistics, “Immigration Enforcement and Legal Processes Monthly Tables – March 2024,” <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/monthly-tables>; and U.S. Office of Homeland Security Statistics, “Immigration Enforcement and Legal Processes Monthly Tables – April 2024,” <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/monthly-tables>.

2.5. What are the potential outcomes of removal proceedings?

The outcomes of removal proceedings are not as clear-cut as “win versus lose.” There are several outcomes that can leave people in limbo or with lack of clarity about how to regularize their status going forward. While some people are granted relief that results in lawful permanent residency or a pathway to such, some people are granted a legal right to remain that does not lead to a pathway to legal permanent residency or citizenship. In other circumstances, people’s cases are concluded in a manner that does not grant them a formal legal right to remain, but they are not required to leave the United States either. Table 1 summarizes the different types of case outcomes relevant to this study. Vera grouped these outcomes into five categories to facilitate analysis for this study. Further details about these outcomes can be found in the MIDA Evaluation Technical Report, Section 1.2.⁷²

Table 1
Potential outcomes of removal proceedings, by category

Category	Outcomes included	Allowed to remain in the United States?	Closes case?	Creates a pathway to citizenship?	Description
#1: Full protection	Relief (e.g., asylum, cancellation of removal, adjustment of status). ⁷³	Yes	Yes	Yes, for themselves and qualifying family members. ⁷⁴	<ul style="list-style-type: none"> Grants legal status or allows a person to maintain their lawful permanent residency.
#2: Case closure with partial protection	Protection under the Convention Against Torture and withholding of removal. ⁷⁵	Yes	Yes	No ⁷⁶	<ul style="list-style-type: none"> Prevents removal to certain countries but may allow removal to other countries under certain circumstances.⁷⁷
#3: Case closure without protection	Dismissal, termination. ⁷⁸	Yes	Yes	No ⁷⁹	<ul style="list-style-type: none"> Neither requires the departure of a person from the United States nor grants full or partial protection. Allows a person with legal status to maintain their current status, but DHS may initiate new removal proceedings against them for the same charges in the future.⁸⁰ Allows a person to potentially be subjected to expedited removal after their case is closed.⁸¹
#4: Case pause without protection	Administrative closure, DHS failure to prosecute. ⁸²	Yes	No	No ⁸³	<ul style="list-style-type: none"> Indefinitely pauses the case and does not grant a legal right to remain, does not require removal.⁸⁴ Does not protect from removal for the same charges.⁸⁵ Allows cases to be re-calendared by the government at any time.⁸⁶
#5: Case closure and required departure from the United States	Removal order, voluntary departure, withdrawal of application for admission. ⁸⁷	No	Yes	No	<ul style="list-style-type: none"> Neither grants relief nor allows a person to remain in the United States. A removal order carries a different gravity from voluntary departure and withdrawal of an application for admission, such as barring reentry into the United States even if the person otherwise has legal options to return.⁸⁸

Note: The categories in this table reflect Vera's systematic grouping of immigration court outcomes for ease of analysis, rather than legal definitions. DHS = U.S. Department of Homeland Security.

Case outcomes can be heavily influenced by the manner and extent to which prosecutors and judges can exercise discretion, which have changed dramatically across years and administrations. For example, under the Obama administration, ICE directed its officers and attorneys to use their

prosecutorial discretion to focus removal efforts on people posing “clear risk[s] to national security or . . . public safety,” people with serious conviction histories, and people with an “egregious record of immigration violations.”⁸⁹ The agency instructed them to deprioritize cases for people who were considered to not pose a threat, including people who were longtime lawful permanent residents, had resided in the United States since childhood, or were otherwise vulnerable.⁹⁰ The first Trump administration rescinded this Obama-era guidance and instead encouraged enforcement against anyone potentially removable, including people whose cases were previously considered low priority.⁹¹ It also ended immigration judges’ ability to use discretion to administratively close cases unless authorized by regulation, a settlement agreement, or a specific delegation.⁹² Under the subsequent Biden administration, DHS selectively reinstated prosecutorial guidelines, reprioritizing the cases of people who were deemed to pose a threat to national security, public safety, and border security—although these guidelines were found to be unlawful in a court decision.⁹³ The Biden administration also restored judges’ authority to administratively close cases and provided guidance on when it was appropriate to do so.⁹⁴ During his second administration, President Trump revived his prior practice of encouraging enforcement against everyone who is potentially removable and instituted policies to increase the number of removals that occur outside of immigration court—including through agency directives to dismiss cases in court in order to proceed with expedited removal.⁹⁵ The cases in Vera’s study span the Biden administration and the beginning of the second Trump administration.⁹⁶

Just as agency directives on discretion impact court outcomes, so does the applicable case precedent that applies at the time of the decision; this is dictated by Supreme Court decisions, case law of the relevant U.S. Court of Appeals, and decisions by the BIA. Because the BIA sits within EOIR, the Attorney General significantly impacts the makeup of the judge corps deciding precedential decisions and decisions impacting who qualifies for relief under statute.

Policies and directives regarding prosecutorial and judicial discretion have changed over time. As such, defining a case outcome as “successful” or “unsuccessful” is not always straightforward, and various studies have defined success in different ways. The five categories Vera used for analysis in this study capture the range of outcomes someone can receive. How Vera measured these outcomes for this study is described in Section 5.1 and in greater detail in the MIDA Evaluation Technical Report, Section 3.3.

3. The State of Legal Representation in Immigration Court

3.1. Is there a right to government-funded counsel in immigration court?

Although people have a right to be represented in their removal proceedings, there is no right to government-funded counsel for people facing deportation. In the 1963 landmark case *Gideon v. Wainwright*, the Supreme Court ruled that the right to counsel is fundamental to ensuring a fair trial under the Sixth Amendment, and therefore criminal defendants are entitled to an attorney in state and federal courts, regardless of their ability to pay.⁹⁷ However, the right to a government-funded attorney has not been extended to everyone facing deportation in immigration court, even though the consequences of removal can be as dire as criminal punishment—if not more so.⁹⁸

3.2. The provision of legal representation to people in immigration court has been increasing over time

Over the past few decades, across the United States, many stakeholders—including government officials, advocates, scholars, and legal service providers—have been working to advance access to counsel for people in immigration court. This work has included many privately funded efforts such as legal clinics, programs that support attorneys in taking immigration cases or mentoring other immigration attorneys pro bono, and foundation-funded legal programs. Since 2005, there has also been a growth and expansion of publicly funded deportation defense programs at the local, state, and federal levels. For example, in 2005, the U.S. Department of Health and Human Services Office of Refugee Resettlement (ORR) contracted with Vera to launch the Unaccompanied Children’s Program to provide legal services for unaccompanied children.⁹⁹ In 2008, the program began providing legal services for unaccompanied children in immigration court, fulfilling requirements mandated by Congress under the Trafficking Victims Protection Reauthorization Act.¹⁰⁰ This program has grown over the years to include expanded direct representation and support for pro bono deportation defense and mentoring efforts. The program, which is currently implemented by the Acacia Center for Justice and its network of more than 100 legal service providers, has faced funding disruptions beginning in early 2025 with the change in presidential administration, followed by litigation and ongoing uncertainty about the program’s continued funding.¹⁰¹

In 2009, U.S. Court of Appeals Judge Robert A. Katzmann established a New York–based “study group” focused on finding solutions to the “immigrant representation crisis.”¹⁰² Judge Katzmann observed: “All too often immigrants are deprived of adequate legal representation, essential if they and their families are to live openly and with security. This failure should be a concern for all of us committed to the fair and efficient administration of justice.”¹⁰³ As a result of that group, two critical initiatives arose. The New York Immigrant Family Unity Project (NYIFUP)—the first publicly funded deportation defense program for people in immigration detention—was piloted in 2013.¹⁰⁴ Next, the Immigrant Justice Corps (IJC) was launched in 2014—originally in New York and then scaled nationwide. The IJC established a fellowship program designed to increase the quantity and quality of immigrant defense representation by creating a pipeline of new immigration attorneys coming out of law school.¹⁰⁵ Since then, several more efforts have been made to increase the capacity of immigration attorneys in the field to meet the need for deportation defense.

In 2013, the *Franco-Gonzalez v. Holder* class action lawsuit established a right to counsel in limited circumstances: for detained, unrepresented people in Arizona, California, and Washington who are found by an immigration judge to be mentally incompetent to represent themselves.¹⁰⁶ The National Qualified Representative Program was launched by EOIR to comply with *Franco*, providing federally funded attorneys to this population in the mandated states, and later expanding nationwide as a matter of policy.¹⁰⁷ The program has faced considerable operational and legal challenges including, most recently, the Trump administration’s attempted termination of the program in 2025, resulting in uncertainty over the program’s future.¹⁰⁸ The ORR and the DOJ have supported several legal access and representation initiatives since 2005.¹⁰⁹

As of October 2025, more than 70 jurisdictions, including 13 states, have publicly funded deportation defense at a state or local level, many of which (including the MIDA providers) are part of Vera’s Safety and Fairness for Everyone (SAFE) Network.¹¹⁰ The SAFE Network is a collaborative network of governments, immigration legal service providers, and advocates that launched in 2017 to build up universal representation programs in jurisdictions across the country.¹¹¹ The number of

SAFE Network programs has increased substantially—from 31 to 44 jurisdictions—since President Trump’s second inauguration as a response to his anti-immigrant presidential campaign.¹¹²

Efforts to launch and expand publicly funded deportation defense programs have sought to do so using both budgetary measures and the introduction of state and federal legislation. While more than 13 states have taken action in this way, two examples are New York and Illinois. Both states support deportation defense through budgetary measures, and both have introduced state legislation. In January 2020, elected leaders in New York State introduced the Access to Representation Act into the New York State Senate—a bill which, if passed, would establish the right to legal representation in immigration proceedings at the government’s expense for people facing deportation in New York who cannot afford an attorney.¹¹³ In 2022, the Illinois Right to Counsel in Immigration Proceedings Act was enacted, which established the state’s policy position that people facing deportation should have a right to government-funded representation. However, the act did not include funding to guarantee that right, nor did it have a clear method of implementation.¹¹⁴ The state delegated the tasks of developing a programmatic proposal to a smaller group of experts.¹¹⁵ This progress at the state level has been accompanied by—and often driven by—the leadership of cities and counties that have dedicated funding to local defense efforts.

At the federal level, in April 2023, U.S. Senator Kirsten Gillibrand of New York and Representative Norma Torres of California introduced a bill, the Fairness to Freedom Act, which would create a federal right to an attorney—at government expense—for people facing deportation who cannot afford one.¹¹⁶ Then, in July 2024, Representative Robert Garcia of California introduced the Securing Help for Immigrants through Education and Legal Development (SHIELD) Act. If passed, the act would create a federal program providing grants to support the recruitment, training, and retaining of personnel and resources in the field of immigration legal services, with the goal of bolstering legal capacity for immigrant legal defense.¹¹⁷ In 2025, legislators in New York introduced a bill similar to SHIELD, the Building Up Immigrant Legal Defense (BUILD) Act, for the state’s immigration legal service providers.¹¹⁸

Research shows that the share of immigration proceedings with representation, alongside these collective public and private efforts, has increased. A study by Eagly, Shafer, and Moulton (2024) found that 52 percent of removal proceedings between 2013 and 2024 had legal counsel, up from 37 percent between 2007 and 2012.¹¹⁹ It is important to note that this increase was only experienced by people in detained proceedings—rising from 14 percent to 31 percent—and that representation is still only available for a minority of people in such cases.¹²⁰ The representation rate for nondetained proceedings dropped from 66 percent to 57 percent during that time, largely due to an increase in the volume of cases, indicating the need for legal counsel in proceedings is still present.¹²¹

3.3. What is known about the impacts of legal representation?

The relationship between legal representation and the outcomes of removal proceeding is difficult to study. One substantial challenge stems from the varied ways in which people in immigration court access legal representation. For example, people with the means to do so may hire a private attorney, a field with a wide range in the quality of representation. Others may find low- or no-cost representation through a variety of different programs—publicly or privately funded—that have specific programmatic priorities and constraints. All of these factors impact how attorneys choose their clients and how clients choose attorneys or are constrained in their ability to choose.

Many attorneys triage potential clients, performing a preliminary review before determining whether or not they will offer representation.¹²² This may involve an assessment of criteria such as whether the person is detained, the perceived strength of the case, the potential client's ability to pay, the stage of case processing they have reached, the timing or imminence of hearings, or other factors relating to the potential client and their claim. For example, some organizations have selection criteria that prioritize clients based on their countries of origin. Some organizations receive funding that limits them to exclusively serving particular populations, such as survivors of domestic violence or trafficking, unaccompanied children, or people deemed mentally incompetent to represent themselves. Some providers automatically eliminate from their potential client pool anyone with a conviction history or those requiring a waiver to obtain relief for which they may otherwise be eligible. Some attorneys may accept clients solely based on assessment of their chances of winning or ability to pay.¹²³ Additionally, certain clients may have personal circumstances that make them more or less likely to pursue legal representation; for example, it is possible that people with deep community connections or a stronger desire to fight their case may be more willing to seek out an attorney. Conversely, people who are fiscally constrained may be less likely to seek representation if it would be too financially burdensome.

The common practice among attorneys of triaging or selecting cases for representation poses a significant challenge for anyone attempting to study the potential impact of universal representation at scale: the people who *have* attorneys may not be representative of the full group of people who *need* them. As such, much of the existing research has produced noncausal results, leaving policymakers unable to say with confidence whether lawyers are helping people to achieve better outcomes or whether people with stronger cases are more likely to secure lawyers. Past research has accounted for some of the demographic or case differences between people with and without representation using data to control for easily measured characteristics, such as region of origin or the charges for which a person is facing deportation. However, to the best of Vera's knowledge, there has not been a real-world scenario with adequate data that has allowed researchers to study the impact of legal representation on immigration court outcomes with a straightforward causal research design.

Several past studies have found that legal representation is *associated with* improved immigration court outcomes. Ryo (2016) examined the relationship between legal representation and immigration bond outcomes in California. The study found that—among people who had bond hearings scheduled—people with representation had 3.5 times higher odds of being granted bond than people without representation.¹²⁴ A national study by Eagly and Shafer (2015) examined the relationship between having representation and case outcomes and court procedures. The authors looked at removal proceedings between 2007 and 2012 in which people had private, nonprofit, or pro bono representation—some through characteristics- or merits-based triaged models—and compared their outcomes to removal proceedings in which people were unrepresented.¹²⁵ Before controlling for people's demographic or case characteristics, the study found that detained people with counsel were 10.5 times more likely to be granted relief or have their case terminated—outcomes which would allow them to remain in the United States—than unrepresented detained people (21 percent of proceedings resulted in these outcomes compared to 2 percent, respectively).¹²⁶ When controlling for nationality, prosecutorial charge type, court, and year of case decision, the authors found that detained people with representation had 4.1 times higher odds of case termination than their unrepresented detained counterparts.¹²⁷ Furthermore, when looking at people who filed an application for relief, they found that people with representation had odds of being granted relief three times higher than people without representation.¹²⁸ However, these results do not account for the selective ways attorneys may choose their clients and clients may choose to

work with attorneys (or be constrained in their ability to choose by finances or logistics). Therefore, the results show a correlation between attorneys and improved outcomes, but do not show attorneys caused the improved outcomes. The authors of that study, acknowledging this, stated that exploring the causal impacts of legal representation was a needed step for future research.¹²⁹ This has proved challenging—to date—given largely insurmountable ethical and program design challenges.

A few studies have examined representation pilot programs. Vera's evaluation of the NYIFUP pilot program—the first universal deportation defense program for detained people—used a quasi-experimental approach and estimated that 48 percent of people represented through the program would receive a case outcome that allowed them to remain in the United States, compared to the observed 4 percent of unrepresented people in comparison courts (whose cases were processed before the program began).¹³⁰

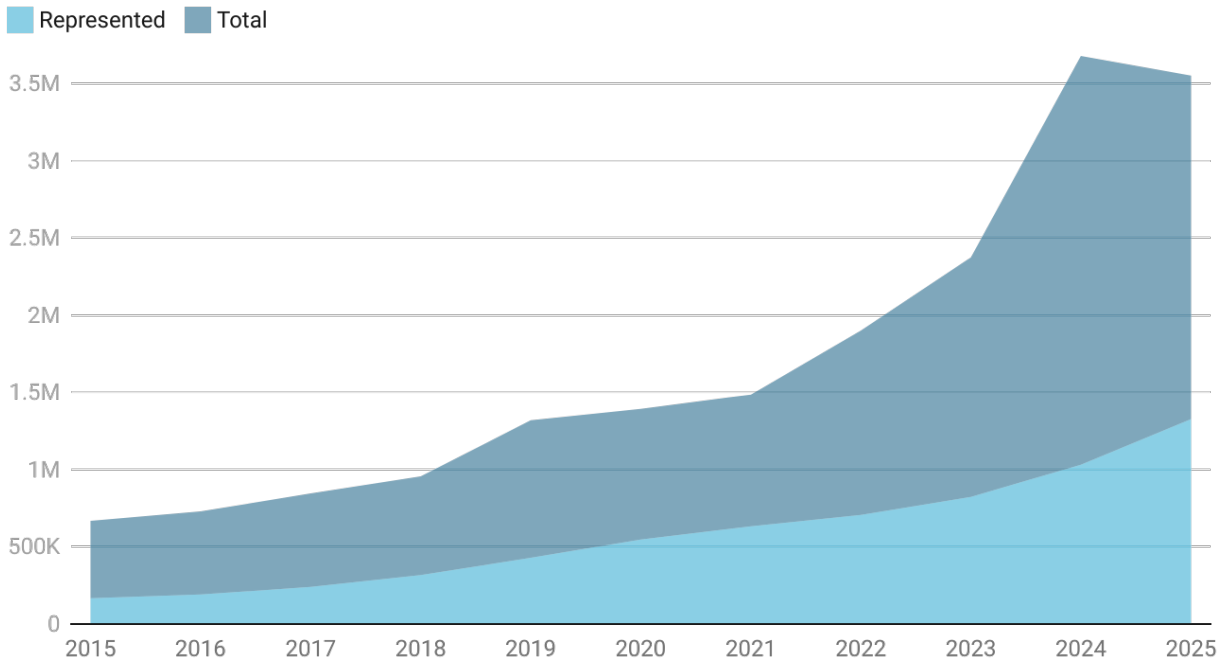
Vera sought to build upon these previous studies and add to the body of research by conducting a randomized study to uncover the degree to which lawyers are *causing* various outcomes. Section 4 describes MIDA and its intake model, which allowed for this study to occur.

3.4. What is the state of legal representation nationally?

In the majority of removal proceedings between June 2015 and June 2025, people did not have legal counsel at any point during their proceedings.¹³¹ However, the growth of publicly funded immigration legal defense programs appears to have increased the number of removal proceedings with representation. Figure 2 shows total pending removal proceedings from June 2015 to June 2025 and the number and share with representation. 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.¹³² Figure 3 shows the same statistics, but for detained removal proceedings only.

In recent years, even though the number of removal proceedings in which people had representation has increased substantially, the proportion of removal proceedings in which people had legal counsel has actually decreased. This is because the overall number of removal proceedings has grown so much. For example, from June 2020 to June 2025 the number of people with representation grew by 143 percent, while the rate of representation dropped by 2 percentage points, from 39 percent to 37 percent.¹³³ In other words, the growth in the number of proceedings is outpacing the growth in attorneys' capacity to represent them, even as attorney capacity has expanded.

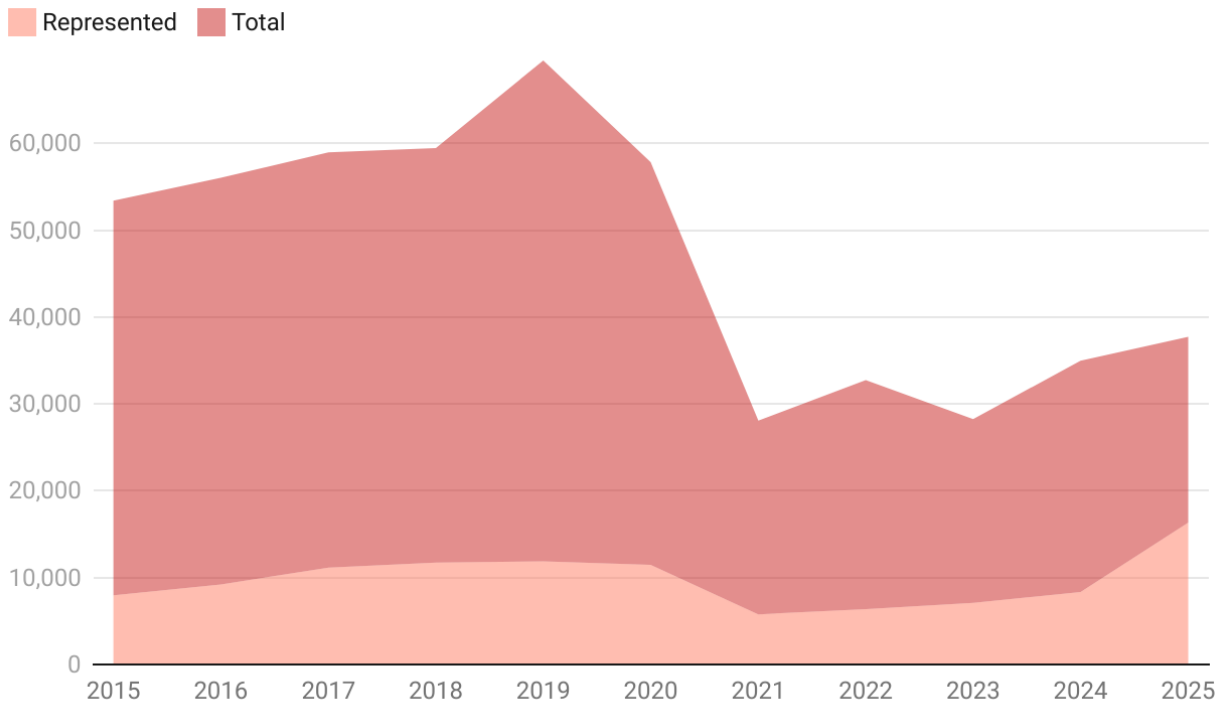
Figure 2
Number of pending nondetained and detained removal proceedings nationwide, by representation status, June 2015 to June 2025



Source: 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>.

Note: The number of pending removal proceedings at each year mark is the sum of the number of nondetained and detained removal proceedings pending on June 1 of that year, and the number of those pending removal proceedings with representation (as counted by ever having an EOIR-28 form filed). A removal proceeding may include a single adult, child, or family unit.

Figure 3
Number of pending detained removal proceedings nationwide, by representation status, June 2015 to June 2025



Source: 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>.

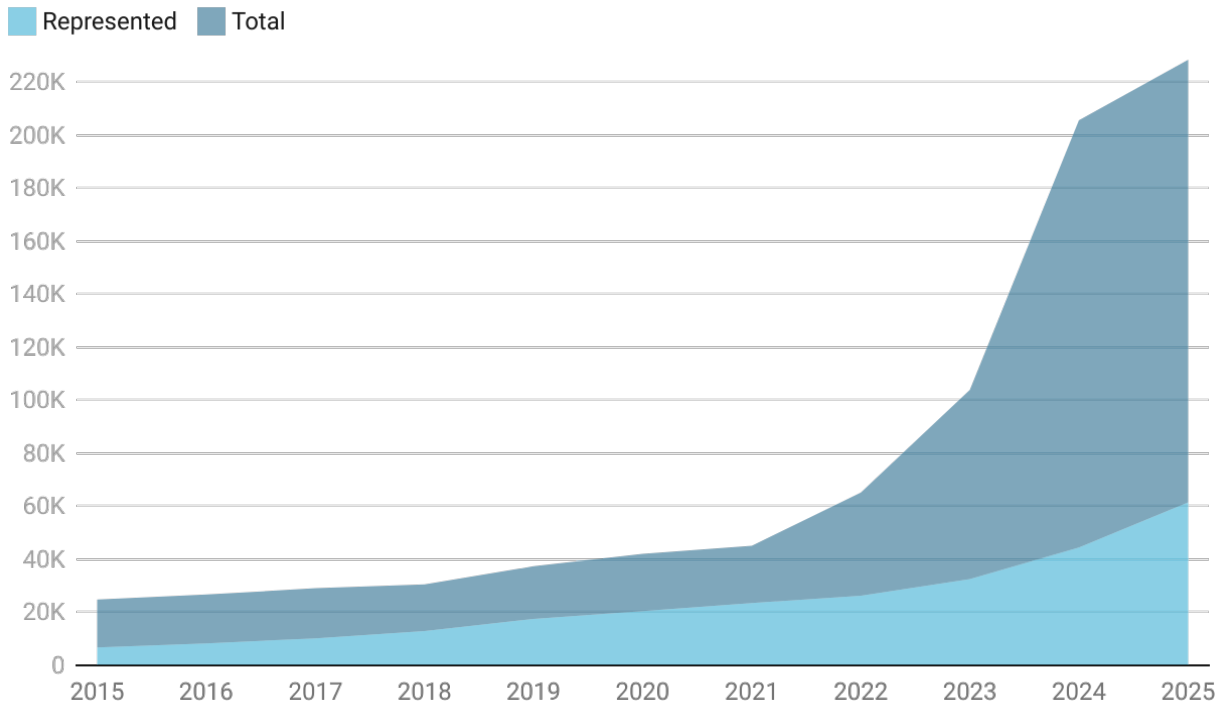
Note: The number of pending detained removal proceedings at each year mark is the number of detained removal proceedings pending on June 1 of that year, and the number of those pending detained removal proceedings with representation (as counted by ever having an EOIR-28 form filed). A removal proceeding may include a single adult, child, or family unit.

3.5. What is the state of legal representation in the Chicago immigration court?

Since 2021, the number of pending removal proceedings, including nondetained and detained proceedings, before the Chicago immigration court—where MIDA operates and the locus of this study—has increased rapidly (see Figure 4). This increase has outpaced the growth in the backlog of pending removal proceedings nationwide. Between June 2015 and June 2025, the backlog of pending cases increased more than ninefold in Chicago (from approximately 24,800 to 228,500), as opposed to more than fivefold nationwide (from 668,700 to 3,550,900).¹³⁴ Despite this, growth in the number of proceedings to have representation in Chicago has surpassed nationwide growth. In June 2025, more than nine times as many people’s removal proceedings in Chicago were represented than in June 2015 (approximately 61,500 compared to 6,700).¹³⁵ Nationwide, there was a nearly eightfold increase in representation (1,326,800 compared to 166,500).¹³⁶

Figure 4

Number of pending nondetained and detained removal proceedings in the Chicago immigration court, by representation status, June 2015 to June 2025

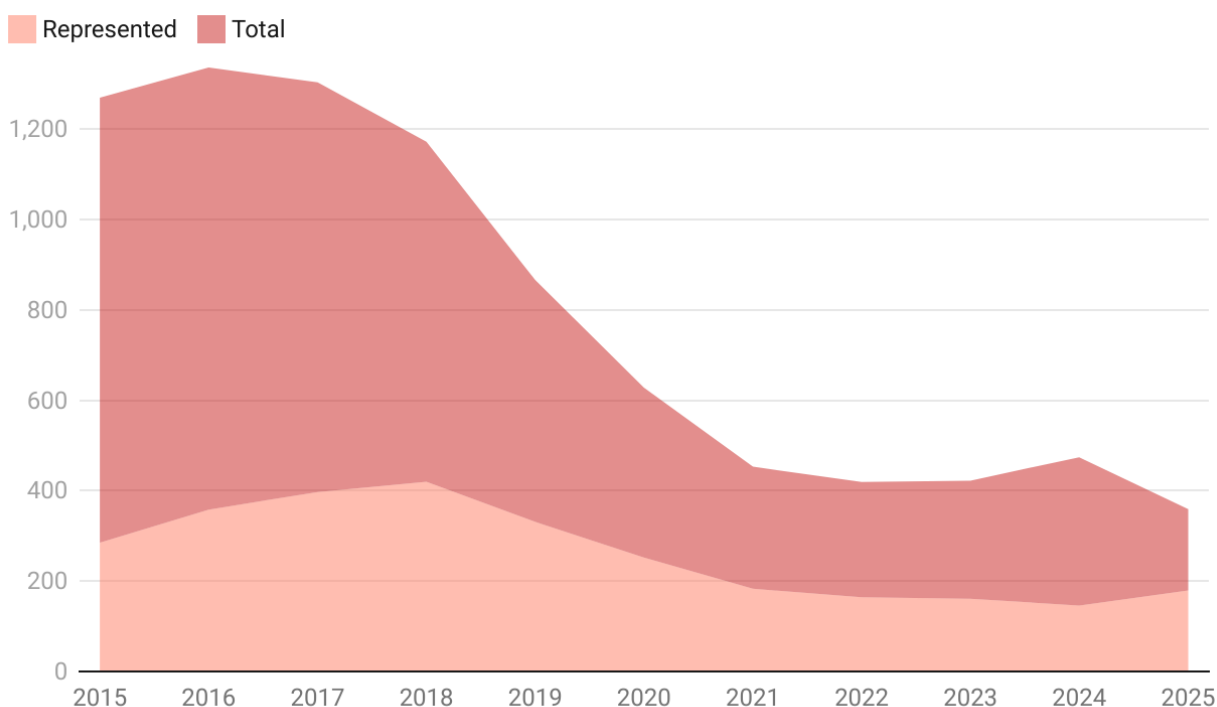


Source: Executive Office for Immigration Review, “EOIR Case Data (June 2025),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

Note: The number of pending removal proceedings at each year mark is the sum of the number of nondetained and detained removal proceedings pending in the Chicago immigration court on June 1 of that year, and the number of those pending removal proceedings with representation (as counted by ever having an EOIR-28 form filed). A removal proceeding may include a single adult, child, or family unit.

Similar to national figures, the number of detained proceedings in the Chicago immigration court reached a low around the start of the COVID-19 pandemic and the end of the first Trump administration (see Figure 5). Since then, the Chicago immigration court has had a consistently higher representation rate for people in detained proceedings than seen nationwide. Roughly half of people on the Chicago detained docket had representation from 2021 through June 2025 (encompassing the period of Vera’s study).

Figure 5
Number of pending detained removal proceedings in the Chicago immigration court, by representation status, June 2015 to June 2025



Source: 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>.
 Note: The number of pending detained removal proceedings at each year mark presented the number of detained removal proceedings pending in the Chicago immigration court on June 1 of that year, and the number of those pending detained removal proceedings with representation (as counted by ever having an EOIR-28 form filed). A removal proceeding may include a single adult, child, or family unit.

4. The MIDA Program

This section provides an overview of the MIDA program, its intake model, and its strengths and limitations. As noted, MIDA started as a collaborative of four legal service providers—the National Immigrant Justice Center, the Law Office of the Cook County Public Defender, The Immigration Project, and The Resurrection Project—which came together to provide deportation defense to people in immigration detention at the time their removal proceedings began.¹³⁷ People whose removal proceedings were scheduled on the Chicago detained docket during the study period were detained across four states: Illinois, Indiana, Kentucky, and Wisconsin. The four legal service providers formed the MIDA collaborative in 2021 to share knowledge and resources and to systematize intake and data collection, and they began accepting clients in March 2022.

4.1. How does the MIDA program intake clients?

Throughout the period of study, MIDA attorneys provided universal “merits-blind” representation. This means that the providers offered legal representation to people with cases scheduled on the Chicago detained docket equally, free of charge, and without triaging cases based on the perceived strength of the case or other factors. The only criteria to be eligible for MIDA representation were that

people had to be unrepresented at their initial master calendar hearing, currently be held in ICE detention, and have had a self-reported income below 200 percent of the poverty line.

Due to capacity constraints, MIDA providers could not provide representation to everyone on the Chicago detained docket who met the eligibility criteria. Therefore, to ensure an intake model that would not advantage some cases over others, MIDA providers developed a randomized intake model. Attorneys across the four MIDA organizations rotated attendance at all initial master calendar hearings as a “friend of the court” on select days of the week, as the providers’ collective capacity to take on new clients allowed.¹³⁸ On these MIDA observation days, the presiding immigration judge would read a brief explanation of the MIDA program at the top of the hearing for all people who did not already have legal counsel present. The judge would then ask the person if they would like to adjourn and reschedule their case to consult with the MIDA attorney. If the person accepted, their master calendar hearing was rescheduled, and the MIDA attorney scheduled a call to screen the person for program eligibility after the hearing. If they were found eligible, the attorney offered them representation. If the person declined, the person proceeded with their master calendar hearing without counsel.

For most of the duration of the evaluation period, there was only one immigration judge who primarily adjudicated cases on the Chicago detained docket; however, in May 2023, EOIR appointed a second judge to begin hearing cases.¹³⁹ Both judges presided over cases scheduled on MIDA observation days and non-MIDA observation days.¹⁴⁰ On occasion, other judges at the Chicago immigration court would be assigned to preside over these master calendar hearings, but during the period of study, this happened in less than 15 percent of people’s initial master calendar hearings.¹⁴¹

4.2. What are the strengths and limitations of the MIDA program?

Previous research conducted by Vera found that the collaborative network structure and merits-blind intake model are strengths of MIDA and other universal representation programs.¹⁴² MIDA uses communications channels that span all organizations in the collaborative to share knowledge, information, and resources. Attorneys across the collaborative have emphasized that this has helped them onboard new attorneys more efficiently and—by creating a supportive network to help with particularly complex cases—has improved the quality of representation they can offer.¹⁴³ They have also noted that the collaborative model gives attorneys a shared sense of mission and solidarity, with a communal dedication to achieving the best possible outcomes for their clients according to the law.¹⁴⁴

Equity considerations: MIDA makes access to representation across people of different nationalities and linguistic groups more equitable

MIDA’s merits-blind intake process provides more equitable access to representation across nationalities and linguistic groups than other attorneys provide.^a This is demonstrated by the fact that, compared to people who found outside counsel, the nationalities and language groups of MIDA clients more closely reflect those of the overall docket.^b This more equitable intake model has been proven to close the gap in representation for Spanish speakers in particular.^c

Sources:

^a Jacquelyn Pavilon, Neil Agarwal, Nico Montano, and Adena Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two Progress and Recommendations for Scaling* (New York: Vera Institute of Justice, 2025), 18–19, <https://www.vera.org/publications/evaluating-the-impact-of-the-midwest-immigrant-defenders-alliance-year-two>.

^b Ibid.

^c Ibid.

One limitation of the MIDA program is that—due to both a lack of resources and funding restrictions based on custody status and residency—it has been unable to continue to represent most clients following their release from detention.¹⁴⁵ Even when continuity of representation might be possible, clients do not always stay in the same region following release from detention. This is a challenge common to many place-based legal representation programs. There are certain circumstances in which MIDA clients can continue working with their attorneys following release, but this is dependent on a person’s residency, the MIDA organization’s funding restrictions, and the attorneys’ capacity.

5. Research Methodology

Vera studied the impact of legal counsel for people in removal proceedings who do not already have representation and who otherwise could not afford it. Through its research, Vera sought to answer two central questions:

1. What would the impact of programs like MIDA be at scale?
2. What is the impact of being represented through programs like MIDA on individual clients’ outcomes?

Vera primarily relied on two datasets to conduct its analyses: (1) an internal client database (the Safety and Fairness for Everyone, or “SAFE” database, where MIDA attorneys collected and stored client data for programmatic reasons) that MIDA agreed to share with Vera to conduct its evaluation; and (2) the EOIR data, a publicly available dataset released monthly that contains information on removal proceedings of all people in the immigration court system.¹⁴⁶ Vera used two additional datasets, as described in the MIDA Evaluation Technical Report, to help merge these two primary datasets together. Vera used different econometric models—statistical models that quantify the relationships between variables—to answer the two questions. These models relied on MIDA’s random intake model to yield causal, statistically unbiased results. Section 5.1 describes the outcomes Vera measured and how it defined them and Section 5.2 briefly describes the research design.

5.1. Outcomes studied

Vera measured impact in several ways. Vera analyzed whether the program affected individual people's case outcomes and bond outcomes. Furthermore, Vera examined how the program may have affected due process by impacting court procedures, including the number of motions and applications filed. Vera studied the same outcomes for both research questions. A summary of the frequency of each outcome can be found in the MIDA Evaluation Technical Report, Table 6. More details about how Vera categorized these outcomes can be found in the MIDA Evaluation Technical Report, Section 3.3.

5.1.1. Case outcomes

To study the effects of the MIDA program on case outcomes, Vera analyzed the impact on both being granted relief and being allowed to remain in the United States. Vera limited the case outcome analysis to cases with an initial decision by an immigration judge, before any appeals. A more detailed breakdown of case outcomes across the sample can be found in the MIDA Evaluation Technical Report, Table 4.

Relief:

- **Granted relief:** Using the categories detailed in Section 2.5, Vera counted a person as being granted relief if their case reached an initial outcome of full protection (category 1).
- **Not granted relief:** Vera counted a person as not being granted relief if their case reached an initial outcome of partial protection, case closure without protection, or case closure and required departure from the United States (categories 2, 3, and 5). This includes decisions of withholding, deferral, dismissal, termination, the withdrawal of an application for relief, voluntary departure, and order of removal.
- **Still pending:** Vera classified cases that reached an initial outcome of a case pause without protection (category 4) as still pending. This includes cases that have reached a decision of administrative closure or DHS failure to prosecute, in addition to cases that had not reached a decision.

Permission to remain:

- **Allowed to remain in the United States:** Using the categories in Section 2.5, Vera counted a person as being allowed to remain in the United States if their case reached an initial outcome of full protection, partial protection, or case closure without protection (categories 1, 2, and 3). This includes cases that had reached a decision of withholding, deferral, dismissal, and termination, in addition to cases in which people were granted relief.
- **Not allowed to remain in the United States:** Vera counted people as not being allowed to remain in the United States if their case reached an initial outcome of closure and required departure from the United States (category 5). This includes cases that resulted in a withdrawal of application for relief, voluntary departure, or an order of removal.
- **Still pending:** Vera classified cases that reached an initial outcome of a case pause without protection (category 4) as still pending. This includes cases that had reached a decision of administrative closure or DHS failure to prosecute, in addition to cases that had not reached a decision.

5.1.2. Bond outcomes

Vera analyzed the impact of the MIDA program on several bond outcomes. To ensure the bond process was not still ongoing, Vera limited the analysis to people whose cases reached a decision on at least the detained portion of the case (that is, the person had been released or their case had reached a conclusion while they were in detention). The analysis explored the impact of representation on the following outcomes:

- **Had a bond hearing:** Vera counted a person as having a bond hearing if they had at least one bond hearing before an immigration judge and as *not* having a bond hearing if they had no bond hearings.
- **Released on bond set by an immigration judge:** Vera counted a person as released on bond set by an immigration judge if the person was released and had at least one bond set by an immigration judge. Vera assumed the person was released after having paid the final bond set. If a person was never released or was released but never had a bond set by an immigration judge, Vera counted this person as *not* released on bond set by an immigration judge.
- **Released by ICE without a bond hearing:** Vera counted a person as released by ICE without a bond hearing (through a mechanism such as parole or release on recognizance, or if the person paid a bond set by ICE) if the person was released but never had a bond set by an immigration judge. If a person was never released or was released on bond set by an immigration judge, Vera counted this person as *not* released by ICE without a bond hearing.

A more detailed breakdown of the outcomes across the sample can be found in the MIDA Evaluation Technical Report, Table 5.

5.1.3. Due process outcomes

Within immigration court, two legal mechanisms can help shape the course of an immigration case: motions and applications. To understand the impact of MIDA on upholding due process, Vera analyzed the impact of the MIDA program on the following measures:

- **Total number of motions:** Motions are a type of procedural request in which a party in a legal matter asks the court to take a specific action. A broad range of motions can be filed in immigration court, varying in complexity and in potential impact on the case outcome. Motion practice is a routine component of a legal case, and it can enhance due process by ensuring the law is properly applied and by promoting the meaningful participation of all parties to the case. Vera counted the total number of motions, excluding those that can only be initiated by DHS or exclusively apply to people with counsel.¹⁴⁷ Vera assigned motions into two broad categories: procedural and substantive.¹⁴⁸
 - **Total number of procedural motions:** Procedural motions include motions that impact the participation or presence of the respondent in court and motions that impact scheduling or docketing. They may include, for example, a motion for a telephonic or in-person hearing, a continuance (postponement) of a hearing, an interpreter, or a filing extension. In many instances, procedural motions may be simpler than substantive motions, requiring a recitation of facts and basic information, rather than complex legal arguments. Despite being considered procedural, many of these motions can significantly impact the outcome of a case by enhancing a person's

meaningful participation in their proceedings or their ability to gather evidence in support of their case. Vera counted the total number of procedural motions filed.¹⁴⁹

- **Total number of substantive motions:** Substantive motions are more complex, requiring an application of relevant facts to the law, typically requiring lengthy filings and legal expertise to complete. They are more likely to impact core legal issues that can determine the outcome of the case. For example, substantive motions may seek safeguards for children or people suffering from mental illness, establish the proper legal burden for the government and respondent, suppress evidence acquired in violation of the law, seek a subpoena for evidence, or ask the court to reconsider a ruling or terminate the case altogether. Because substantive motions require legal expertise and are often accompanied by legal briefs, the assistance of an attorney is particularly important. Vera counted the total number of substantive motions filed.¹⁵⁰
- **Total number of applications:** Applications for relief are filed by respondents in immigration court naming the legal basis for them to remain in the United States. Attorney expertise is especially critical to properly applying the unique facts of a person’s life history to the applicable areas of the law. Some avenues for relief, like asylum or other fear-based applications, are well known and apply broadly to many people with cases in immigration court. Others are far more narrow, are available to fewer people, and may require legal expertise to know of their existence or understand one’s eligibility. In addition to helping clients determine their eligibility for relief, attorneys counsel their clients on the strength of their claims, the relevant parts of their life history to support their claims, and possible obstacles to succeeding in their cases. Vera counted the total number of applications filed.¹⁵¹

5.2. Research design

Vera conducted two sets of analyses—described in this section and in greater detail in the MIDA Evaluation Technical Report, Section 4—that quantified (1) the impact of the program at scale (the intention-to-treat analyses), and (2) the impact of being represented through programs like MIDA on individual clients’ outcomes (the treatment-effect-on-the-treated analyses):¹⁵²

- **Intention to treat:** These analyses sought to compare the outcomes of eligible people who were offered MIDA representation due to their initial master calendar hearings falling on a MIDA observation day, regardless of whether they accepted MIDA representation or not (the treatment group), against the outcomes of similarly situated people who would have been eligible for MIDA representation but were not able to participate solely because their initial master calendar hearing fell on a non-MIDA observation day (the comparison group). The results of these analyses show the *causal* impacts of having access to the MIDA program (or to similar programs that offer services equitably). These analyses take into account that some people will choose to opt out, showing the program’s effects overall and at scale.
- **Treatment effect on the treated:** These analyses sought to compare the outcomes of people who were represented by MIDA attorneys for at least part of their case (the treatment group) against the outcomes of similarly situated eligible people who were not MIDA clients. The results of these analyses show the *causal* impacts of MIDA attorneys on the outcomes of the clients they represent. Although MIDA attorneys offered services on a merits-blind basis—that is, they did not select certain types of cases only—potential clients were still free to accept or

decline this offer, and it is possible that certain case characteristics or circumstances made them more likely to accept. These analyses took into account that personal choice. The results from these analyses are the *causal* impacts of having a MIDA attorney as legal counsel.

The randomized nature of MIDA's intake model allowed Vera to determine causal impacts, without the kind of statistical bias that could result from attorneys actively selecting stronger cases. In all analyses, Vera further controlled for several demographic and case-level characteristics, including people's region of origin, language of immigration proceedings, charges, the timing of their proceedings, whether the person was from a country that made them more likely to be an asylum seeker or eligible for Temporary Protected Status, and the immigration judge assigned to the master calendar hearing.¹⁵³

5.3 Sample construction

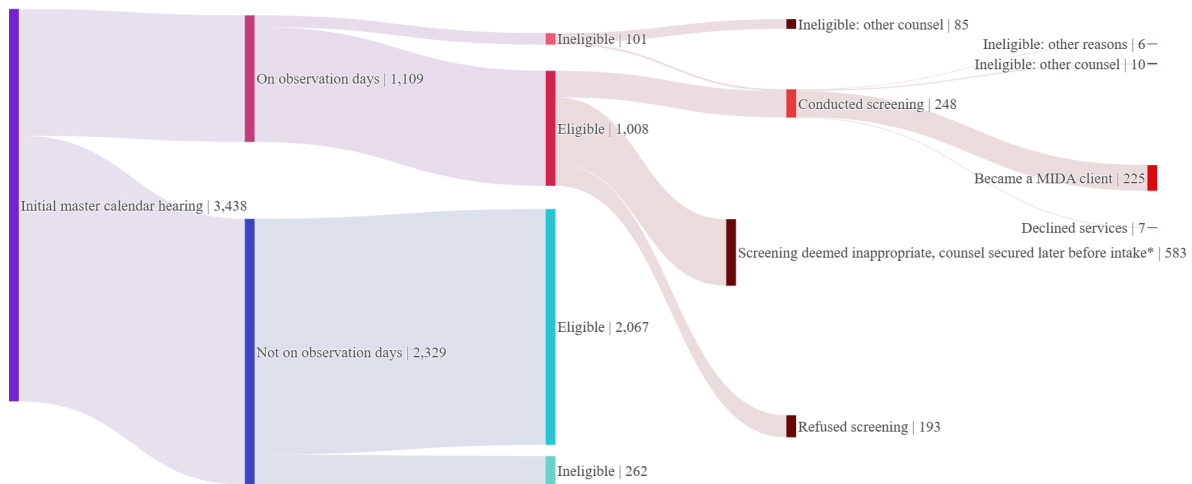
To conduct the analyses, it was necessary for Vera to create two sets of treatment and comparison groups. For all treatment and comparison groups, Vera only included people who had an initial master calendar hearing recorded during the study period—that is, between March 1, 2022, and March 31, 2025. Vera followed people's outcomes through May 31, 2025.

Vera's primary data source for the outcomes measured in these analyses was a publicly available dataset from EOIR that contained information on removal proceedings of all people in the immigration court system. However, the EOIR data did not include a variable identifying who was represented by a MIDA attorney. In order to define Vera's treatment and comparison groups for the treatment effect on the treated analyses, it was therefore necessary to connect the MIDA client data in the SAFE database to the EOIR dataset. However, the EOIR data did not include any unique identifiers that could also be found in the SAFE database, which would have allowed Vera researchers to simply and quickly connect the different datasets. To overcome this challenge, Vera created a matching algorithm that drew on various pieces of information that were found in both sources, such as demographics, date of birth, language, and the dates of specific hearings, for example. (See the MIDA Evaluation Technical Report, Section 2, for a more detailed accounting of this process.)¹⁵⁴ Vera used the matching algorithm to flag within the EOIR data all people who were screened or represented by MIDA.

Counting MIDA-eligible people. Figure 6 presents a detailed view of the 3,438 people in 240 proceedings on the Chicago detained docket during the period of study (March 1, 2022, to March 30, 2025) and how they interacted with the MIDA program. When determining MIDA eligibility for the causal analyses, Vera relied on the EOIR data to see whether a person had an attorney of record listed as present at their initial master calendar hearing; Vera considered a person to be MIDA eligible when they had no record of representation at that hearing. Figure 6 shows that, of the 3,438 people, roughly two-thirds (2,329 of the 3,438 people) had their initial master calendar hearings on days when MIDA was *not* present for observation, of which 2,067 would have been eligible for MIDA services. One-third (1,109 of the 3,438 people) had their initial master calendar hearing on MIDA observation days, of which 1,008 were eligible for—and hence offered a screening for—MIDA services. Overall, Vera used the group of 3,075 MIDA-eligible people (2,067 from non-observation days and 1,008 from observation days) as the sample for its causal analyses.

Figure 6

Pathways of people on the Chicago detained docket, March 2022 to March 2025



Sources: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” private 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),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

Note: This figure includes people in 240 proceedings only.

*MIDA attorneys explained that they did not proceed with screening for these 583 people as the person or their family told them that they had formalized another attorney–client relationship after the initial master calendar hearing but before the MIDA screening could take place.

Creating the intention-to-treat treatment and comparison groups. Figure 6 shows that, among the 1,008 people who were offered MIDA services, there were 583 people who accepted the offer of a screening but whom MIDA attorneys subsequently did not screen. MIDA attorneys explained that these 583 people were unrepresented at their initial master calendar hearing and hence were eligible for MIDA representation. However, it later materialized that the person or their family was in the process of seeking out other legal counsel but had not formalized a relationship by the time of the initial master calendar hearing. Often, the detained person was not able to communicate with their family from immigration detention and therefore did not know either that a search was happening or the status of that search when they accepted the offer for a MIDA screening. When MIDA attorneys—upon reaching out to schedule a screening—learned that the potential client had formalized a different attorney–client relationship, they were ethically obligated to not proceed with an intake screening. In constructing the comparison group for the intention-to-treat analyses, Vera included these 583 people in the treatment group as they were eligible for, and were offered, MIDA services at the time of the initial master calendar hearing; they only formalized an alternate attorney–client relationship later on.

Table 3 shows that, for the intention-to-treat analyses, Vera compared the outcomes of MIDA-eligible people whose initial master calendar hearing fell on MIDA observation days (1,008 people) to the outcomes of MIDA-eligible people whose initial master calendar hearing fell on days MIDA attorneys were not present (2,067 people). Vera acknowledges that this means that some people in the comparison group went on to find other counsel post–initial master calendar hearing. In fact, Vera found that, of the 2,850 people eligible for MIDA who did not become MIDA clients, 30 percent found

other counsel later in their proceedings.¹⁵⁵ Vera’s results, therefore, should not be interpreted as comparing people offered or having MIDA representation to only unrepresented people, and therefore can be considered conservative effects for the impact of representation generally.

Table 3
Definitions of the treatment and comparison groups, taken from the sample of MIDA-eligible people

	Treatment Group	Comparison Group
Analysis #1 Intention to treat	People with initial master calendar hearings on MIDA observation days. (N = 1,008)	People with initial master calendar hearings <i>not</i> on MIDA observation days. (N = 2,067)
Analysis #2 Treatment effect on the treated	MIDA clients. (N = 225)	People with initial master calendar hearings <i>not</i> on MIDA observation days (n = 2,067); people for whom MIDA attorneys deemed a screening was inappropriate because they secured counsel after their initial master calendar hearing but before intake (n = 583); people who refused a screening (n = 193); and people for whom MIDA attorneys conducted a screening but who did not become a MIDA client (n = 7). (N = 2,850)

Note: The full sample was all MIDA-eligible people with no attorney of record at initial master calendar hearing, per the Executive Office for Immigration Review data (N = 3,075).

Creating the treatment-effect-on-the-treated treatment and comparison groups. Vera identified 441 people who received an offer for a MIDA intake screening (excluding the 583 people for whom the MIDA attorneys deemed a screening was inappropriate after that offer was made). Of these, 248 people (56 percent) accepted and received a screening, and 193 people (44 percent) declined the offer, choosing not to adjourn their case. Among the 248 people whom MIDA screened, seven potential clients declined to participate in MIDA and 10 were found to be ineligible due to already having an attorney of record at their initial master calendar hearing (the referral to MIDA being an error on the part of the judge). Only six were found to be otherwise ineligible for MIDA services; this means that nearly everyone who received a MIDA screening met the income requirement for MIDA services. Post screening, 225 people became MIDA clients.¹⁵⁶ For the purposes of the treatment-effect-on-the-treated analyses, Vera considered a person to be a MIDA client regardless of whether they were represented for the entirety or for only part of their case. More details about MIDA clients and how they worked with their attorneys can be found in Appendix 1.

6. The Impact of the MIDA Program: Key Findings and Discussion

In this section, Vera reports findings from the two sets of analyses describing (1) the impact of the MIDA program overall or what the effects of the program would be at scale; and (2) the impact of MIDA attorneys on their clients’ outcomes. The various results affirm the benefits of the MIDA program for case, bond, and due process outcomes. This section also includes discussion of the

potential mechanisms driving those results. The full results of these analyses are detailed in the MIDA Evaluation Technical Report, Section 5.

The analyses utilize the random nature of MIDA's intake process to determine the causal impact of the program on people's case outcomes. The analyses further control for a range of demographic and case characteristics and the timing of the proceedings, which span both the Biden administration and the beginning of the second Trump administration. Among completed cases in Vera's sample, 81 percent completed under the Biden administration and 19 percent completed under the second Trump administration.¹⁵⁷ The results show the positive impacts of the MIDA legal representation program persisted

- even as the presidential administration in power shifted;
- across judges of different levels of leniency or strictness;
- amid broader federal policy changes that affected the entire court; and
- independent of personal or case characteristics or charges.

These findings suggest that legal representation programs like MIDA will likely yield comparable benefits in courts that operate under similar institutional conditions to Chicago's detained docket. In order to yield statistically unbiased results, Vera did not remove people from the comparison group who took up other counsel after their initial master calendar hearing. As a result, the impacts of representation described in this section may in fact be *understated*, given that some people in the comparison group went on to find representation.

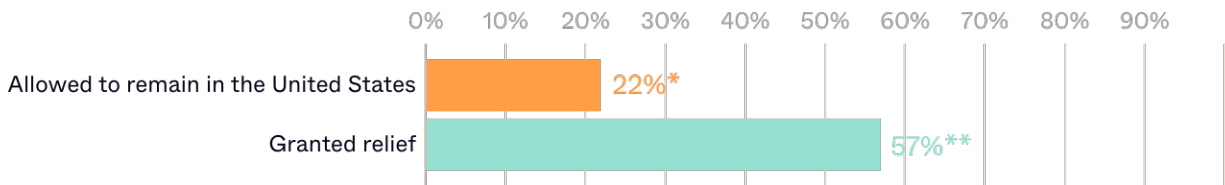
6.1. What would be the impact of the MIDA program at scale on case outcomes?

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. In other words, if the MIDA program were expanded to everyone in removal proceedings before the Chicago detained docket, 22 percent more people would obtain an outcome allowing them to remain in the United States than if the program were not available, as shown in the intention-to-treat results in Figure 7.¹⁵⁸ This would be the impact of the MIDA program overall, taking into account that some people offered services would refuse them. Outcomes that allow a person to remain in the United States include not only a grant of relief but also dismissal, termination, or other case closures that grant partial protection from removal. Figure 7 shows the effect of MIDA is even larger for grants of relief specifically: If the program were offered to everyone on the Chicago detained docket, 57 percent more people would be granted relief than if the program did not exist.¹⁵⁹

Combined, these results indicate that, while access to MIDA representation helps people achieve a case outcome that allows them to remain in the United States, the program's most powerful impact is in helping people secure a grant of relief. That is to say, the program helps people establish a permanent right to remain that leads to a stable pathway to legal permanent residency and citizenship.

Figure 7
Case outcomes, intention-to-treat effects

The presence of MIDA in court to offer services to all eligible people results in the following percent increases in case outcomes:



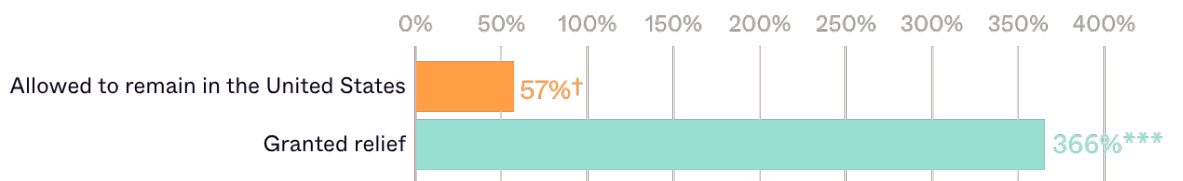
Note: Statistical significance levels are displayed as * $p < 0.1$, ** $p < 0.05$.

6.2. What is the impact of having a MIDA attorney on case outcomes?

Among people eligible for the program, being represented by a MIDA attorney increased the likelihood of being granted relief by 366 percent.¹⁶⁰ For this treatment-effect-on-the-treated analysis, displayed in Figure 8, Vera analyzed the impact of having a MIDA lawyer, compared to other similarly situated eligible people who did not receive MIDA representation. 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.¹⁶¹ This is the direct impact that MIDA lawyers have on improving their clients' chance of relief. MIDA attorneys, therefore, helped people to establish their legal right to relief, putting them on a pathway toward legal permanent residency and citizenship. Without MIDA's legal assistance, many would not have achieved that outcome.

Figure 8
Case outcomes, treatment effect on the treated

Being a MIDA client results in the following percent increase in the likelihood of each case outcome:



Note: ***Statistically significant at the $p < 0.01$ level. The † sign indicates that the result is not statistically significant, $p = 0.320$.

6.3. What are some structural inequities in immigration court?

Vera's analyses identified several equity challenges for people in immigration detention that shaped their immigration court outcomes, independent of whether a person had legal counsel or not. These challenges arise both due to language barriers and from ICE's discretionary release decisions.

Language access presented a significant equity challenge in immigration court. People who navigated their removal proceedings in Spanish, overall, were granted relief at lower rates than those whose removal proceedings were held in English.¹⁶² During the evaluation period, three in four people (75 percent) in 240 proceedings who were eligible for MIDA went through their removal proceedings using a Spanish interpreter, consistent with a nationwide rate of 79 percent during the

period of study.¹⁶³ Nevertheless, Vera’s analyses show that cases conducted through a Spanish interpreter were associated with significantly worse outcomes, relative to proceedings that were conducted in English, regardless of whether the person was a MIDA client or not. After accounting for legal representation and other demographic and case characteristics, the odds of remaining in the United States for those who used a Spanish interpreter were half those of similarly situated people whose cases were adjudicated in English.¹⁶⁴

Region of origin played a significant role in ICE’s discretionary release decisions during the period of study. Vera found that region of origin was a significant predictor of whom ICE released outside of the bond hearing process (either on parole, by discretion, or by setting a bond for a person to pay). That is to say, people from certain regions were significantly more likely to be released by ICE than others.¹⁶⁵ However, Vera’s analyses also show that people from those same regions were not necessarily more likely to ultimately be granted relief.¹⁶⁶ This suggests that ICE’s release decisions are not always reflective of who will be granted relief. Compared to ICE, immigration judges placed less weight on region of origin when determining whom to release on bond, though region of origin still played a role in judicial bond decisions.¹⁶⁷

Vera’s analyses also found that, during the period of study, ICE was more likely to release people who were from countries that made them more likely to be asylum seekers compared to people from other countries.¹⁶⁸ This finding is reflective of ICE policies that favor the release of people who have established a credible fear of persecution or torture.¹⁶⁹

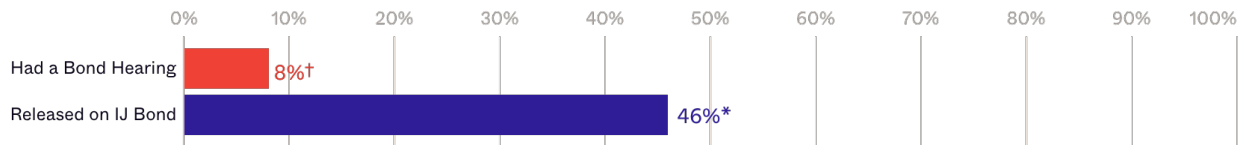
Together, these findings highlight how structural factors—such as language access and ICE’s discretionary relief practices—can shape people’s ability to obtain release from detention in ways that are not necessarily connected to their legal eligibility for relief.

6.4. What is the impact of having a MIDA attorney on being released on bond set by an immigration judge?

Having a MIDA attorney increased the likelihood of being released on bond set by an immigration judge by 46 percent compared to otherwise similar nonclients.¹⁷⁰ This treatment-effect-on-the-treated analysis is displayed in Figure 9. However, Vera did not find evidence that MIDA clients were any more or less likely than nonclients to have a bond hearing before an immigration judge.¹⁷¹ This means that, although MIDA attorneys did not significantly impact their clients’ chances of having a bond hearing, they did affect the outcome of those hearings. Where clients were legally entitled to bond, MIDA attorneys helped them secure release. As noted previously, ICE already exercises discretion in deciding whom to release prior to a bond hearing, prioritizing certain regions of origin and whether someone is likely an asylum seeker, for instance. Therefore, many people whom immigration judges might consider setting bond for would never have a bond hearing before a judge, having already been released by ICE: Those who make it to the bond stage in immigration court may already have greater difficulty in securing release. In spite of this challenging context, MIDA was able to help these clients return to their families and communities.

Figure 9
Bond outcomes, treatment effect on the treated

Being a MIDA client results in the following percent increases in likelihood of bond hearing outcomes:



Note: *Statistically significant at $p < 0.1$. The † sign indicates that the result is not statistically significant, $p = 0.534$. IJ = immigration judge.

6.5. What are the due process implications of having a MIDA attorney?

MIDA attorneys advanced due process by filing more motions—particularly substantive motions—on behalf of their clients, compared to other similarly situated nonclients. These motions allowed clients to meaningfully exercise their rights in their cases and hold the government to its legal burden. Substantive motions are often complex, requiring legal research, lengthy filings, and an application of the facts to the law.¹⁷² They may seek safeguards, like accommodations for children or for people suffering from mental illness. They can establish the proper legal burden for the government and respondent, suppress evidence acquired in violation of the law, seek a subpoena for evidence, contest charges, or ask the court to reconsider a ruling or terminate the case altogether. They often relate to core legal issues that can determine the outcome of the case, ensuring due process is upheld. Vera’s treatment-effect-on-the-treated analysis shows that, for every 100 MIDA clients and 100 similarly situated nonclients, MIDA clients would have 48 more total motions, including 20 more substantive motions, filed than the others.¹⁷³

MIDA clients had 20 more substantive motions filed per 100 people than comparable nonclients.

Vera’s treatment-effect-on-the-treated analysis did not find evidence that MIDA clients file more applications for relief than similarly situated nonclients, even though MIDA clients were significantly more likely to be granted relief.¹⁷⁴ This suggests that MIDA representation impacts not how many applications are filed, but rather how effectively those applications are identified, prepared, or litigated. One possible explanation for this finding may be that people without attorneys are less certain about which application to file; as a result, some of them may file several and others may file none. Conversely, attorneys can help people identify and file the precise applications for forms of relief for which they are eligible without filing superfluous applications. As evident from the discrepancies in relief rates between MIDA clients and others, a lawyer plays a significant role in helping secure the relief that the client is legally entitled to and likely plays a significant role in drafting a successful application. Another possible explanation for this finding is that, during this evaluation period, other legal assistance programs—such as the Legal Orientation Program (LOP) for people in immigration detention, the Immigration Court Helpdesk (ICH) for people not in immigration detention, and other pro se or legal assistance programs—existed in the area for people who did not have representation. These programs—and even immigration judges themselves—can help people identify applications for certain types of relief for which they may be eligible. The Trump administration’s termination of the LOP and ICH programs in April 2025—combined with the

increased barriers to accessing unrepresented people in detention faced by such programs—will likely reduce this form of pro se support, potentially widening disparities in access to relief between represented and unrepresented people going forward.¹⁷⁵

6.6. What are the impacts of MIDA’s program design and the context it operates in?

6.6.1. What did the analysis reveal about the MIDA intake process and who takes up services?

The findings suggest that people with more complex or less straightforward cases were more likely to accept MIDA representation. During the period of study, the MIDA program offered representation to people who met the program’s eligibility requirements, regardless of the perceived merits of their case or other subjective characteristics. As noted, people still had the choice to accept MIDA representation or to continue without it. In its treatment-effect-on-the-treated analysis, Vera identified several case and demographic characteristics that predicted whether a person was likely to accept MIDA representation. However, these case and demographic characteristics did not predict participation with perfect accuracy: The analysis showed that there were a number of other factors that were not captured in the data that informed potential clients’ decisions to participate in MIDA or not. Vera’s statistical analyses also showed that, all else considered, these other factors (which were not observable in the datasets), combined, were statistically associated with a *decreased* likelihood of being granted relief.¹⁷⁶ Vera interprets these findings to mean that, among people who look similar on paper, those with otherwise more challenging cases or less straightforward legal circumstances were more likely to accept the offer of representation from MIDA attorneys.

Under the MIDA model studied, attorneys might have conducted intake too late in the processing of a case for some people to accept services. It is possible that earlier client intake, prior to the initial hearing, could reduce the refusal rate, reach more people, and further increase relief rates. Though the MIDA program was offered equitably to unrepresented eligible people on observation days, people had the option to opt out—either by denying the judge’s offer to adjourn for a MIDA consultation or by declining the offer of representation after the consultation. Figure 6 on page 28 shows that, among the 441 people who were offered a MIDA screening (excluding people in withholding-only proceedings), 193 people (44 percent) declined: 72 percent of those people were ordered removed at that same initial hearing.¹⁷⁷ Deciding to fight one’s removal case and to accept legal counsel are personal decisions. MIDA attorneys explained that people who refused often did so because they were “detention fatigued” and did not want to postpone their case and remain in detention any longer.¹⁷⁸ However, an earlier-touch intake model would require ICE’s cooperation in providing attorneys with information about the people in immigration detention. Furthermore, attorneys would need to find a way to speak to people in court prior to their master calendar hearing, which is especially challenging in a remote-representation model.

6.6.2. Do MIDA’s impacts persist across changes in presidential administration?

Both DHS, which is responsible for placing people in removal proceedings and oversees immigration detention, and DOJ, which encompasses the immigration courts, are federal agencies within the executive branch. The guidance, directives, and policies these agencies receive may change vastly across presidential administrations regarding whom to prioritize for enforcement, when immigration judges should exercise discretion, and more. These shifts raise the question: To what degree do the effects of programs like MIDA persist across different presidential administrations? The cases in this study span the Biden administration and the beginning of the second Trump administration, which

implemented vastly different immigration policies.¹⁷⁹ To explore whether the effects of the MIDA program differed across administrations, Vera conducted a secondary exploratory exercise.

Vera's analyses did not reveal meaningfully large differences in the program's impacts across administrations in regard to case outcomes or bond outcomes.¹⁸⁰ However, the results indicate that the MIDA program's impact on the number of motions filed—particularly procedural motions—was higher under the second Trump administration than under the Biden administration.¹⁸¹ This finding is consistent with a more restrictive or procedurally demanding court environment, in which legal representation may play a heightened role in ensuring respondents' ability to participate fully in their proceedings. Amid substantial changes in immigration courts and immigration law, these results suggest the positive impact of legal representation programs like MIDA persist even in vastly different legal contexts.

6.6.3. Do MIDA's impacts vary across immigration judges?

The Trump administration has fired or replaced many of the immigration judges within EOIR.¹⁸² This raises a second question: To what degree were the effects of the MIDA program judge-dependent? One might anticipate that representation programs are only effective when working with a more lenient judge. Vera's main analyses controlled for immigration judge, meaning that the reported impacts of MIDA were across all immigration judges adjudicating cases on the Chicago detained docket during the study period. However, Vera conducted supplementary analyses to explore this question further. Vera first examined whether the immigration judges who were assigned to the Chicago detained docket during the period of study differed meaningfully in regard to their levels of leniency or strictness. In other words, were the immigration judges in the study more or less likely to give certain outcomes to people who looked similar on paper (in regard to case and demographic characteristics, whether or not they had MIDA representation, etc.)? Second, Vera analyzed whether the effects of the MIDA program differed substantially across those immigration judges.

Vera's findings suggest that the immigration judges in the MIDA study had different levels of leniency or strictness, yet MIDA was broadly effective, even across these judges.¹⁸³ Vera found that the immigration judges differed substantially in their levels of leniency or strictness, even after accounting for the demographic and case characteristics and legal representation of the cases they heard. These differences were most pronounced for bond decisions and the filings of motions. However, Vera found little evidence of systematic differences in the impact of MIDA across immigration judges, though the analyses conducted may be unable to detect smaller differences. The results show that, although judge assignment directly affected the overall likelihood of achieving certain outcomes, being assigned to one judge versus another did not erode the positive impacts of the MIDA program.

Vera found evidence that MIDA's impact on procedural motion activity varied across immigration judges.¹⁸⁴ The results suggest that MIDA representation increased motion activity across all immigration judges in the sample, but even more so for cases assigned to some judges than others. This variation may reflect MIDA lawyers' judge-specific strategy on when and with whom to file procedural motions.

6.7. What are the limitations of extrapolating from these results?

This study focused on people whose cases were initially scheduled on the Chicago immigration court's detained docket (though many of the cases were eventually moved to other hearing locations). Inasmuch as the operational practices in the Chicago immigration court differ

substantially from other courts—in ways that cannot be attributed to the immigration judges within those courts, or larger policies implemented over time—Vera’s analyses could not have captured any effects that court-specific factors might have had on people’s outcomes. Examples of such court-specific factors may include the presence of other legal assistance programs—such as the Legal Orientation Program and the Immigration Court Helpdesk—in detention centers where people in this study were held. Another example may be the use of VTC to adjudicate hearings on the Chicago detained docket as opposed to in-person hearings, which are used at other immigration courts. The results of this study therefore can be considered valid when considering scaling up to reach the entire Chicago detained docket. They are also likely valid beyond this one location when certain conditions are met: Vera would expect the same impacts to be found if a program similar to MIDA were to be implemented at a court with characteristics similar to the Chicago immigration court—even if the people in proceedings or immigration judges at that court had different characteristics. However, applying these findings to immigration courts with vastly different protocols or policies relating to detained proceedings should be done with caution. Future research can assess how these effects translate to immigration courts with different court practices or infrastructure.

7. Looking Forward

Vera’s analyses found that MIDA representation significantly improved case progression and outcomes for people in detained proceedings in a number of crucial ways. MIDA attorneys helped uphold due process by filing more motions on their clients’ behalf, shaping the trajectory of their cases. MIDA attorneys increased the likelihood people would be released on bond by 46 percent relative to nonclients. Importantly, Vera’s analyses found that MIDA attorneys increased people’s chances of being granted relief by 366 percent. MIDA clients were not only more likely to be able to remain in the United States than nonclients, but were more likely to remain with an outcome that granted them full protection and put them on a path to legal permanent residency (for those who did not already have it), which can in turn make them eligible to pursue U.S. citizenship. And if it were possible to offer the MIDA program to everyone on the Chicago detained docket, 22 percent more people from that court would remain in the United States than if the program were not available as a result.

These positive effects can be understood as being *caused* by attorneys, not merely as outcomes that are associated with having an attorney. The positive impacts of representation through MIDA reported in this study persisted even when controlling for clients’ demographic and case characteristics, the immigration judges adjudicating their cases, and presidential administration. If similar programs were implemented in the detained dockets of similar courts, one could expect them to positively impact clients, as the MIDA program did.

Vera’s research suggests that MIDA could benefit more people than it currently does by making a programmatic change to its intake process. MIDA attorneys offer representation to potential clients at their initial master calendar hearings, and some people choose to opt out of services—many of whom do not want to delay their cases and prolong their detention stays any longer. It is possible that a different intake model, in which attorneys approached potential clients at an earlier stage in their cases, might encourage more people to take up services. Whether and how this might further improve outcomes is an area for future research. Furthermore, while it is probable that representation would have positive impacts in other courts, as this evaluation is limited to one immigration court, further research would be needed to determine how effect sizes might differ across immigration courts with substantially different policies.

What is clear from Vera's analyses, however, is that the labyrinthine complexity of immigration law makes access to legal counsel a vitally important service. When delivered through a program such as MIDA, legal representation can significantly improve the case outcomes of people in removal proceedings—upholding due process and helping people in immigration detention secure the rights and benefits they are entitled to by law.

Appendix 1: The MIDA Program Reach

In the first three years of the program (March 2022 to March 2025), the four Midwest Immigrant Defenders Alliance (MIDA) organizations provided representation to a diverse group of 282 adults in immigration detention.¹⁸⁵ Many of these clients had family ties in the United States and were employed in the local economy prior to being detained. This section provides an overview of these MIDA clients and how their attorneys worked with them. This section also includes statistics of people in withholding-only proceedings and people who received limited-scope bond-only representation, who were not included in the causal analysis presented in the main report.

Who are MIDA clients?

The MIDA clients served during the first three years of operation were a diverse group, including people from 33 countries across every continent and many linguistic groups. Table A.1 shows the top 10 countries of origin of MIDA clients. Nearly half (49 percent) came from Mexico, reflecting the makeup of the people in proceedings on the Chicago detained docket at the time.¹⁸⁶ Table A.2 shows the top 10 primary languages spoken by MIDA clients. Collectively, MIDA clients spoke at least 18 different primary languages, with Spanish being the most common. Sixty-nine percent were Spanish speakers, 12 percent were English speakers, and 19 percent spoke other languages as their primary language.

Table A.1

Countries of origin of MIDA clients, March 2022 to March 2025

Country of origin	Count	%
Mexico	138	49.3
Guatemala	27	9.6
Honduras	22	7.9
Nicaragua	18	6.4
Venezuela	11	3.9
Burma (Myanmar)	10	3.6
Cuba	8	2.9
Colombia	6	2.1
El Salvador	4	1.4
Somalia	4	1.4
Other	34	12.1
Total	282	100.0

Source: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” private database (New York: Vera Institute of Justice, July 1, 2025).

Note: The countries of origin of the 34 MIDA clients included in the “Other” category are Jamaica (3 clients), Democratic Republic of Congo (2), Ecuador (2), Haiti (2), Iran (2), Laos (2), Russia (2), Thailand (2), Bosnia and Herzegovina (1), Burundi (1), Chile (1), Federated States of Micronesia (1), Germany (1), India (1), Italy (1), Kenya (1), Malaysia (1), North Korea (1), Panama (1), Senegal (1), Sudan (1), Tanzania (1), and Trinidad and Tobago (1). Two people had an unknown country of origin.

Table A.2
Languages of MIDA clients, March 2022 to March 2025

Language	Count	%
Spanish	194	68.8
English	34	12.1
Burmese	6	2.1
Kiche	2	0.7
Russian	2	0.7
Somali	2	0.7
Chuj	2	0.7
Unknown	25	8.9
Other	15	5.3
Total	282	100.0

Source: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” private database (New York: Vera Institute of Justice, July 1, 2025).

Note: The primary languages of the 15 MIDA clients included in the “Other” category are Chatino (1), Q’eqchi (1), Tzotzil (1), Hindi (1), Nepali (1), Creole (1), Swahili-French (1), Kinyarwanda (1), Korean (1), and Farsi–Afghani–Dari (1). An additional five MIDA clients had a primary language not included in the options provided in the Safety and Fairness for Everyone database.

MIDA clients were employed at high rates and in critical industries prior to being detained. The majority—68 percent—of MIDA clients were working before they were detained.¹⁸⁷ This is comparable to other noncitizens across the four states where they were detained.¹⁸⁸ MIDA clients worked across a wide range of industries before being detained, with the most clients working in construction, manufacturing, and food preparation/food services.¹⁸⁹ Among those who were employed and reported having a family (71 people), 76 percent were the primary breadwinners for their household.¹⁹⁰

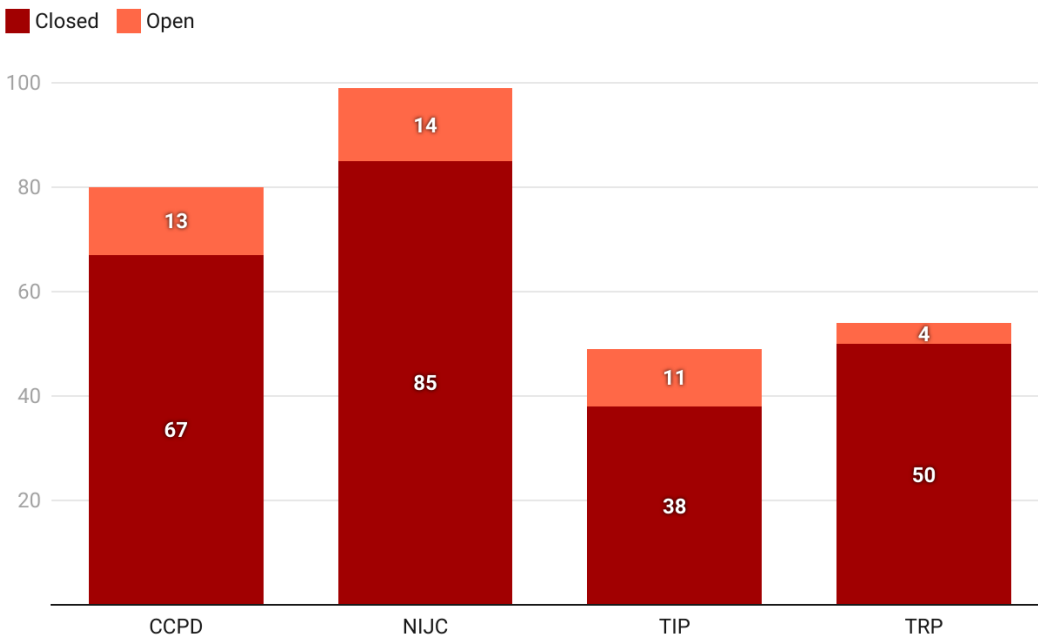
Many MIDA clients had strong family ties in the United States. Among the MIDA clients who reported information about their family members (193 people), 43 percent (83 people) were living in households with children under the age of 18 at the time they were detained.¹⁹¹ Among those 83 people there were, on average, between two and three children in their households.¹⁹² The majority of these children (79 percent) were U.S. citizens.¹⁹³

How do MIDA clients work with their attorneys?

The MIDA program began serving clients in March 2022. Each of the four MIDA organizations had different capacities in terms of the number of clients they were able to represent. Figure A.1 shows how many clients were still working with their attorneys across the four organizations and how many people had finished working with them as of the end of May 2025. The cases of 37 MIDA clients were still pending at the time Vera conducted this evaluation.

Figure A.1

Number of MIDA clients served between March 2022 and May 2025, and status of cases in May 2025, by MIDA organization



Source: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” private database (New York: Vera Institute of Justice, July 1, 2025).

Note: The four organizations are the Law Office of the Cook County Public Defender (CCPD), National Immigrant Justice Center (NIJC), The Immigration Project (TIP), and The Resurrection Project (TRP).

Figure A.2 shows that the vast majority of MIDA clients—253 of the 282 people (89 percent)—were accepted for “full-scope representation.” This means that, for as long as a person was detained, MIDA provided representation starting at intake (through the initial master calendar hearing intake model), continuing until their case was decided by an immigration judge, and through all potential appeals. For people who were released before their cases ended, MIDA provided representation for the period of their proceedings until they were released.¹⁹⁴ This includes representation in bond or release advocacy, if eligible. Figure A.2 also shows that, of the 253 clients to whom MIDA provided full-scope representation, 225 people (89 percent) were in 240 proceedings—the sample used in the causal analyses in this report—and 28 people (11 percent) had withholding-only cases.¹⁹⁵ Another 29 people (11 percent) were accepted for “limited-scope representation” from MIDA attorneys, providing representation for their bond hearings only.¹⁹⁶ In the majority of cases, due to funding restrictions and capacity constraints, MIDA attorneys represented their clients through their time in immigration detention but ceased doing so after they were released.¹⁹⁷

Figure A.2

Number of MIDA clients by the scope of legal representation, March 2022 to May 2025



Source: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” on file at Vera (New York: Vera Institute of Justice, July 1, 2025).

Among the 253 MIDA clients who were accepted for full-scope representation, 168 people’s cases had reached an initial decision by an immigration judge as of June 2025. The outcomes of these people’s cases are displayed in Table A.3. The table shows that 67 of the 168 MIDA clients (40 percent) were allowed to remain in the United States as a result of their initial case decision. The majority of these (70 percent) were granted relief, allowing them to remain in the United States permanently and putting them on a path toward legal residency (for those who were not already legal permanent residents) and citizenship. Despite the fact that the vast majority of MIDA clients do not continue working with their attorneys after they are released from immigration detention, only one person who was a MIDA client was eventually removed in absentia.

Table A.3
Outcomes of MIDA clients with completed cases, March 2022 to May 2025*

Outcome	N	Percent
Relief granted	47	28.0
Dismissed	1	0.6
Terminated	7	4.2
Other closures**	12	7.1
Total allowed to remain in the United States	67	39.9
Removal order***	65	44.6
Voluntary departure****	26	15.5
Total not allowed to remain in the United States	101	60.1
Total	168	100.0

Source: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” on file at Vera (New York: Vera Institute of Justice, July 1, 2025).

Notes: *This figure shows outcomes for people in 240 proceedings or withholding-only proceedings as the initial disposition by an immigration judge, pre-appeals. MIDA clients initially accepted for bond-only representation are excluded from these totals. If a person was accepted for full representation but later lost their representation, they are still included. Twenty-two MIDA clients had completed withholding-only cases. Among these withholding-only cases, 12 were granted withholding and 10 were denied.

**Other closures that allowed clients to remain in the United States include Convention Against Torture-Withholding Granted, Convention Against Torture-Deferral Granted, and Immigration and Nationality Act-Withholding Granted. There were no cases that ended in a withdrawal of application for admission.

***Removal orders include the 10 withholding-only proceedings with an initial disposition coded as “Order of Removal (not in absentia)” in the EOIR data.

****Although voluntary departure and withdrawal do not allow clients to remain in the country, they are more favorable outcomes than an order of removal because they do not carry the same gravity, such as barring reentry into the United States when the person otherwise has legal options to return.

MIDA attorneys filed motions and applications on their clients’ behalf. On average, MIDA attorneys filed 0.7 motions, including 0.2 substantive motions, per client.¹⁹⁸ Forty percent of MIDA clients had at least one motion filed on their behalf.¹⁹⁹ Table A.4 shows the main types of motions that MIDA attorneys filed on behalf of their clients.

Table A.4**Types of motions filed by MIDA attorneys on clients' behalf, March 2022 to May 2025**

Motion	Type	Count
Motion for continuance	Procedural	48
Unspecified motion	Unknown	32
Motion to terminate	Substantive	21
Motion for fee waiver	Substantive*	14
Motion for video appearance	Procedural	10
Motion for voluntary departure**	Substantive	9
Motion to accept late filed documents	Procedural	8
Motion for change of venue	Procedural	7
Motion to dismiss	Substantive	4
Motion to advance for earlier hearing date	Procedural	4
Other motions***	Both	12
Total		169

Sources: 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 (May 2025),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

Notes: *Vera classified “motion for fee” waivers as substantive because they could make the difference between someone being able to file for certain forms of relief in court or not—a difference that can have a substantive impact on their case.

**A motion for voluntary departure occurs after proceedings have concluded, when the respondent or their attorney asks the court to reopen, reconsider, or modify an order to allow for a grant of voluntary departure under INA § 240B(a). This differs from an application for voluntary departure, which is filed before the conclusion of immigration proceedings under INA § 240B(b).

***The motions in the “other motions” category are motion for telephonic appearance (procedural; 3), motion for competency safeguards (substantive; 3), motion for subpoena (substantive; 2), motion to reopen (substantive; 1), motion for in-person hearing (procedural; 1), motion for extension of time to file a document (procedural; 1), and motion to set an individual/merits hearing (procedural; 1).

MIDA attorneys filed one application per client on average. Fifty-one percent of clients had at least one application filed on their behalf.²⁰⁰ Table A.5 shows the main types of applications that MIDA attorneys filed on their clients' behalf.

Table A.5**Types of application filed by MIDA attorneys on clients' behalf, March 2022 to May 2025**

Application	Count
Withholding – convention against torture	70
Withholding of removal	70
Voluntary departure*	59
Asylum	54
EOIR 42A (cancellation of removal for certain permanent residents)	13
245 – Adjustment of status	4
Unknown	2
Request for a waiver by nonimmigrant	2
Waiver of inadmissibility of a refugee**	1
EOIR 42B (cancellation of removal and adjustment of status for certain nonpermanent residents)	1
Total	276

Sources: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” private 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 (May 2025),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

Note: *Applications for voluntary departure are filed before the conclusion of immigration proceedings under INA § 240B(b). This is different from motions for voluntary departure, which occur after proceedings have concluded when the respondent or their attorney asks the court to reopen, reconsider, or modify an order to allow for a grant of voluntary departure under INA § 240B(a).

**Vera included waivers, which are not legally an application, in the applications table. Waivers are a form of discretionary relief that a person can file asking the judge to forgive a violation of immigration law or avoid being denied relief.

MIDA attorneys helped clients navigate the complex appeals process. It is very difficult to file an appeal without an attorney. MIDA attorneys helped six clients appeal their initial case decision and defended four clients against a government appeal of the initial case decision. Among the six people who filed an appeal, four people received a negative outcome and two people had an appeal that was still pending at the cutoff date for Vera’s data. Among the four people who were defending against a government appeal, one person received a favorable outcome, two people received a negative outcome, and one person had an appeal that was still pending.

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 Menjívar, “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>; Warwik 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>.

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 (Vera), “Safety and Fairness for Everyone Database,” private 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, 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.

¹⁴ Saadi, Patler, and Langer, “Duration in Immigration Detention and Health Harms,” 2025; Saadi, De Trinidad Young, Patler, et al., “Understanding U.S. Immigration Detention,” 2020, 187–197; Ryo, Chacón, and Menjívar, “Criminalization of Immigration,” 2025, 282–343; and McKibbin, Hogan, and Noland, *The International Economic Implications of a Second Trump Presidency*, 2024.

¹⁵ Ibid.

¹⁶ Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹⁷ *Gideon v. Wainwright*, 372 U.S. 335 (1963).

¹⁸ For this evaluation, Vera used data through May 31, 2025. Vera calculated other statistics through June 2025 to provide the relevant context. As of June 2025, there were 3,453,501 pending removal proceedings nationwide. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹⁹ 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).”

²⁰ 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).”

²¹ 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).

²² For details of the first publicly funded deportation defense program, see 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), 26, <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>; information on jurisdictions that have implemented publicly funded programs since then collected by and on file with Vera.

²³ 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).”

²⁴ Stave, Markowitz, Berberich, et al., *Evaluation of the New York Immigrant Family Unity Project*, 2017, 26.

²⁵ Jacquelyn Pavilon, Neil Agarwal, Rosie Wang, and Pierina Hernandez Luperdi, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance* (New York: Vera Institute of Justice, 2024), <https://www.vera.org/publications/evaluating-the-impact-of-the-midwest-immigrant-defenders-alliance>.

²⁶ Jacquelyn Pavilon, Neil Agarwal, Nico Montano, and Adena Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two Progress and Recommendations for Scaling* (New York: Vera Institute of Justice, 2025), <https://www.vera.org/publications/evaluating-the-impact-of-the-midwest-immigrant-defenders-alliance-year-two>.

²⁷ *Ibid.*

²⁸ This study uses data for removal proceedings that had their first initial master calendar hearings between March 1, 2022, and March 30, 2025, and follows outcomes through May 31, 2025.

²⁹ Throughout the report, “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, 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 (NIJC), “MIDA A# Tracking” private spreadsheet (Chicago: NIJC, June 15, 2025); and Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

³⁰ As further described in Section 5.1.1, 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.

³¹ Vera Institute of Justice, “ICE Detention Trends,” <https://www.vera.org/ice-detention-trends>.

³² The U.S. Department of Health and Human Services Office of Refugee Resettlement also has the authority to detain unaccompanied children. Immigrant Legal Resource Center (ILRC), “Understanding Child Detention in the U.S.” (ILRC, 2024), 3, <https://perma.cc/8MCT-UHLZ>.

³³ 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).

³⁴ *Ibid.*

³⁵ Saadi, Patler, and Langer, “Duration in Immigration Detention and Health Harms,” 2025; and Saadi, De Trinidad Young, Patler, et al., “Understanding U.S. Immigration Detention,” 2020.

³⁶ As of June 6, 2025, of the 51,302 people detained as reported by U.S. Immigration and Customs Enforcement (ICE), 15,193 had a criminal conviction, 13,671 had pending charges, and 22,438 had no criminal record. Vera’s archive of ICE, “Detention Statistics – Detention FY 2025 YTD, Alternatives to Detention FY 2025 YTD and Facilities FY 2025 YTD, Footnotes [datasets archived since October 6, 2019].” <https://www.ice.gov/detain/detention-management>.

³⁷ *Fong Yue Ting v. United States*, 149 U.S. 698, 730 (1893); and *Padilla v. Kentucky*, 559 U.S. 356, 365 (2010).

³⁸ *Ibid.*

³⁹ Code of Federal Regulations 8 C.F.R. § 236.1(c)(8)–(c)(9).

⁴⁰ U.S. Immigration and Customs Enforcement, “Detention Management,” <https://perma.cc/4WFB-O6C4>.

⁴¹ Code of Federal Regulations 8 C.F.R. § 236.1(c)(8)–(c)(11).

⁴² Executive Office for Immigration Review, *Immigration Court Practice Manual* (January 2025), 123–128, <https://perma.cc/BAV6-NZWD>.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ American Immigration Council, “The Removal System of the United States: An Overview,” August 9, 2022, <https://www.americanimmigrationcouncil.org/fact-sheet/removal-system-united-states-overview>.

⁴⁶ *Ibid.*

⁴⁷ Immigration and Nationality Act § 239(a), 8 U.S.C. § 1229(a) (2026); and Immigration and Nationality Act § 240(a), 8 U.S.C. § 1229a(a) (2025).

⁴⁸ *Ibid.*

⁴⁹ Withholding-only proceedings are limited proceedings in which a judge may consider the applications for withholding of removal (or restriction on removal) from the United States for people subject to expedited removal under Immigration and Nationality Act § 238(b), 8 U.S.C. 1228, or reinstatement of a prior order of removal under Immigration and Nationality Act § 241(a)(5), 8 U.S.C. 1231, who have a reasonable fear of persecution or torture.

⁵⁰ EOIR, *Immigration Court Practice Manual*, 2025, 105–114.

⁵¹ Executive Office for Immigration Review, “Executive Office for Immigration Review,” <https://www.justice.gov/eoir>.

⁵² *Fong Yue Ting v. United States*, 149 U.S. 698, 730 (1893); and *Padilla v. Kentucky*, 559 U.S. 356, 365-6 (2010).

⁵³ Ingrid V. Eagly and Steven Shafer, “Detained Immigration Courts,” *Virginia Law Review* 110, no. 3 (2024), 691–780, 746, <https://virginialawreview.org/articles/detained-immigration-courts>.

⁵⁴ Emily Ryo and Reed Humphrey, “Beyond Legal Deserts: Access to Counsel for Immigrants Facing Removal,” *North Carolina Law Review* 101, no. 3 (2023), 787–840, <https://scholarship.law.unc.edu/nclr/vol101/iss3/5>.

⁵⁵ American Immigration Lawyers Association (AILA) and CAIR Coalition, *Representing Detained Clients in the Virtual Legal Landscape* (AILA and CAIR Coalition, 2023), <https://www.aila.org/library/representing-detained-clients-in-the-virtual-legal>.

⁵⁶ “The Right to Be Heard from Immigration Prisons: Locating a Right of Access to Counsel for Immigration Detainees in the Right of Access to Courts,” *Harvard Law Review* 132, no. 2 (2018), 726–747, <https://harvardlawreview.org/print/vol-132/the-right-to-be-heard-from-immigration-prisons-locating-a-right-of-access-to-counsel-for-immigration-detainees-in-the-right-of-access-to-courts>.

⁵⁷ Illinois SB 667 (2021–2022).

⁵⁸ Ingrid V. Eagly, “Remote Adjudication in Immigration,” *Northwestern University Law Review* 109, no. 4 (2015), 993–1020, <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1217&context=nulr>.

⁵⁹ Vera refers to removal proceedings for people in immigration detention as “detained proceedings” and for people not in immigration detention as “nondetained proceedings.” Vera refers to a case as the entirety of a person’s removal proceedings through final adjudication. When people are released from detention prior to final adjudication, their cases are composed of both detained proceedings and nondetained proceedings.

⁶⁰ Vera calculated the number of days in a proceeding as the number of days between the date on the notice to appear and the date of the initial decision by an immigration judge. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

⁶¹ American Immigration Lawyers Association, “ICE Memo: Interim Guidance Regarding Detention Authority for Applications for Admission,” July 8, 2025, <https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission>.

⁶² *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (Board of Immigration Appeals, 2025).

⁶³ *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, slip op. at 1 (C.D. Cal. Nov. 20, 2025).

⁶⁴ In fiscal year 2024 (the most recent complete fiscal year of data available), 329,990 of the 777,580 (42 percent) people removed or returned from the United States received a removal order. U.S. Department of Homeland Security Office of Homeland Security Statistics (OHSS), “Immigration Enforcement and Legal Processes Monthly Tables,” dataset, accessed September 18, 2025, <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/monthly-tables>.

⁶⁵ This policy was previously applied to people who were encountered by immigration authorities both within two weeks of their arrival and within 100 miles of the border. In January 2025, the Trump administration sought to expand the policy to people apprehended anywhere in the United States who could not demonstrate that they had been present for more than two years. This expansion is currently being challenged. Muzaffar Chishti and Kathleen Bush-Joseph, “Trump Administration’s Expansion of Fast-Track Deportation Powers Is Transforming Immigration Enforcement,” Migration Policy Institute, September 25, 2025, <https://www.migrationpolicy.org/article/trump-expedited-removal>.

⁶⁶ See “Units of Measure and Descriptive Variables” in U.S. Office of Homeland Security Statistics, “DHS Repatriations – November 2024,” dataset, accessed June 26, 2025, <https://ohss.dhs.gov/khsm/dhs-repatriations>.

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ CBP Home is a mobile application that allows people who are undocumented to notify the U.S. government of their intention to depart the United States. U.S. Customs and Border Protection, “CBP Home Mobile Application,” <https://www.cbp.gov/about/mobile-apps-directory/cbphome>; and U.S. Office of Homeland Security Statistics, “DHS Repatriations – November 2024.”

⁷⁰ In fiscal year 2022, there were 1,467,940 returns and removals from the United States, 1,071,070 of which were Title 42 expulsions under 42 U.S.C. (2025). In fiscal year 2024 (the most recent complete fiscal year of data available), 329,990 of the 777,580 people removed or returned from the United States (42 percent) received a removal order. U.S. Office of Homeland Security Statistics, “Immigration Enforcement and Legal Processes Monthly Tables,” dataset, accessed September 18, 2025.

⁷¹ Centers for Disease Control and Prevention, “End of the Federal COVID-19 Public Health Emergency (PHE) Declaration,” updated September 12, 2023, https://archive.cdc.gov/www_cdc_gov/coronavirus/2019-ncov/your-health/end-of-phe.html.

⁷² The accompanying technical report provides additional information about the legal background of removal proceedings and a detailed explanation of the quantitative methods and data sources Vera used. It also presents the full results from the analyses Vera conducted, supplementary analyses to explore heterogeneous results, and robustness checks Vera conducted to ensure the validity of the results. A copy can be found at <https://www.vera.org/publications/the-impact-of-legal-representation-on-detained-immigrants-facing-deportation>.

⁷³ U.S. Citizenship and Immigration Services, “Immigration Benefits in EOIR Proceedings,” accessed October 14, 2025, <https://perma.cc/293N-WAHA>.

⁷⁴ Executive Office for Immigration Review, *Immigration Court Practice Manual*, 2025, 78–80.

⁷⁵ 8 C.F.R. § 1208.16(c) (2024); 8 C.F.R. § 1208.17 (2024); and Immigration and Nationality Act § 241(b)(3)(A), 8 U.S.C. § 1231(b)(3)(A) (2018).

⁷⁶ Ibid.

⁷⁷ 8 C.F.R. § 274a.12(a)(10); and 8 C.F.R. § 274a.12 (c)(18).

⁷⁸ American Bar Association Children’s Immigration Law Academy, “Termination v. Dismissal in Removal Proceedings,” updated April 2, 2024, <https://perma.cc/UV2Z-N6DQ>; and 8 C.F.R. § 1239.2(b), 8 C.F.R. § 239.2(a).

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ National Immigration Project, “Practice Alert: Protecting Noncitizens from Expedited Removal and Immigration Court Arrests,” May 30, 2025, <https://perma.cc/F8HM-3NYQ>.

⁸² *Matter of Bavakan AVETISYAN*, 25 I&N Dec. 688 (BIA 2012); *Matter of W-Y-U*, 27 I&N Dec. 17 (BIA 2017); 8 C.F.R. §§ 1003.10(b), 1003.1(d)(1)(ii) (2023) (as amended through June 25, 2025); and Executive Office for Immigration Review, “Notice: No Case Currently Pending Before the Executive Office for Immigration Review,” <https://perma.cc/OY42-4L4E>.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Immigration and Nationality Act § 240(c)(1); Immigration and Nationality Act § 240(c)(3); Immigration and Nationality Act § 240(d); and Immigration and Nationality Act § 240B; 8 U.S.C. § 1229c; 8 C.F.R. § 1240.1(d).

⁸⁸ Ibid.

⁸⁹ Memorandum from Director John Morton, ICE to All Field Office Directors, All Special Agents in Charge, All Chief Counsel, ICE re: “Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens,” June 17, 2011, <https://perma.cc/BHR8-7BUG>.

⁹⁰ Ibid.

⁹¹ Executive Order No. 13768, “Enhancing Public Safety in the Interior of the United States,” Fed. Reg. 82 No. 18, January 25, 2017, <https://www.federalregister.gov/documents/2017/01/30/2017-02102/enhancing-public-safety-in-the-interior-of-the-united-states>; Memorandum from Secretary John Kelly, DHS to Acting Commissioner Kevin McAleenan, CBP, Acting Director Thomas D. Homan, ICE, Acting Director Lori Scialabba, U.S. Citizenship and Immigration Services, Acting General Counsel Joseph B. Maher, Acting Assistant Secretary for International Affairs Dimple Shah, and Acting Undersecretary for Management Chip Fulghum re: “Enforcement of the Immigration Laws to Serve the National Interest,” February 20, 2017, <https://perma.cc/EQ85-L9GW>; and *Texas v. United States*, 524 F. Supp. 3d 598 (S.D. Tex. 2021).

⁹² Department of Justice Office of the Attorney General, *Matter of Castro-Tum*, 27 I&N Dec. 271 (A.G. 2018), May 17, 2018.

⁹³ Memorandum from Secretary Alejandro N. Mayorkas, DHS to Acting Director Tae D. Johnson, ICE re: “Guidelines for the Enforcement of Civil Immigration Law,” September 30, 2021, <https://perma.cc/3NS4-DPSB>; and *Texas v. United States*, No. 6:21-cv-0016 (S.D. Tex. 2022).

⁹⁴ In 2021, PM 21-25 - Effect of Department of Homeland Security Enforcement Priorities rescinded *Matter of Castro-Tum*. Executive Office for Immigration Review, “Rescinded Memoranda,” <https://www.justice.gov/eoir/rescinded-memoranda>; and *Matter of W-Y-U*, 27 I&N Dec. 17 (BIA 2017).

⁹⁵ Chishti and Bush-Joseph, “Trump Administration’s Expansion of Fast-Track Deportation Powers,” 2025.

⁹⁶ Among completed cases in the study, 81 percent completed under the Biden administration, and 19 percent completed under the second Trump administration. See MIDA Evaluation Technical Report, table 23.

⁹⁷ *Gideon v. Wainwright*, 372 U.S. 335 (1963).

⁹⁸ Eunice Hyunhye Cho and Tessa Wilson, *Deadly Failures: Preventable Deaths in U.S. Immigration Detention* (American Civil Liberties Union, American Oversight, and Physicians for Human Rights, 2024), <https://phr.org/our-work/resources/deadly-failures-preventable-deaths-in-u-s-immigration-detention>; and Human Rights Watch (HRW), *Deported to Danger: United States Deportation Policies Expose Salvadorans to Death and Abuse* (New York: HRW, 2020), <https://perma.cc/959W-EXWS>.

⁹⁹ Olga Byrne and Elise Miller, *The Flow of Unaccompanied Children through the Immigration System* (New York: Vera Institute of Justice, 2012), 7–8, <https://www.vera.org/publications/the-flow-of-unaccompanied-children-through-the-immigration-system-a-resource-for-practitioners-policy-makers-and-researchers>.

¹⁰⁰ Ibid. Vera was the primary contractor for the Unaccompanied Children’s Program from its onset through November 2023; information on file at Vera.

¹⁰¹ Acacia Center for Justice, “About,” <https://perma.cc/YNH7-L25H>; and National Immigration Forum, “Unaccompanied Alien Children – 2025 Update,” March 11, 2025, <https://perma.cc/6E4K-ZYLJ>.

¹⁰² Denny Chin, “A Living Legacy: The Katzmman Study Group on Immigrant Representation,” *Fordham Law Review* 92, no. 3 (2023), 811–822, 812, <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=6045&context=flr>.

¹⁰³ Ibid., 815.

¹⁰⁴ Vera held contracts pertaining to the New York Immigrant Family Unity Project (NYIFUP) program with New York City from the program’s onset through 2017 and with New York State from September 2014 through December 2023.

¹⁰⁵ Immigrant Justice Corps, “About IJC,” <https://perma.cc/T336-3MDW>.

¹⁰⁶ *Franco-Gonzalez v. Holder*, No. CV-10-02211 (C.D. Cal. Feb. 23, 2013).

¹⁰⁷ Vera was the primary contractor for the National Qualified Representative Program from its onset through August 2022; information on file at Vera.

¹⁰⁸ Acacia Center for Justice, “NQR Practice Advisory: Procedural Safeguards and Section 504 of the Rehabilitation Act,” October 2023, <https://perma.cc/M6DE-7MBT>; and *American Gateways v. U.S. Department of Justice*, No. 1:25-cv-01370 (D.D.C. 2025).

¹⁰⁹ Acacia Center for Justice, “What We Do: Our Programs,” <https://perma.cc/O9S5-0M9C>.

¹¹⁰ Information collected by and on file with Vera.

¹¹¹ Vera Institute of Justice, “The Safety & Fairness for Everyone (SAFE) Network,” <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/safe-network>.

¹¹² Information collected by and on file with Vera.

¹¹³ Access to Representation Act, S 141 (2025–2026).

¹¹⁴ Right to Counsel in Immigration Proceedings Act, S 102-827 (2022).

¹¹⁵ The law was later repealed in July 2025. Right to Counsel in Immigration Proceedings Act, S 102-827 (2022). Right to Counsel in Immigration Proceedings Act, EB 20 ILCS 4112 (2024).

¹¹⁶ Fairness to Freedom Act, HR 3127, 119th Congress (2025).

¹¹⁷ Securing Help for Immigrants through Education and Legal Development (SHIELD) Act, HR 8980, 118th Congress (2024).

¹¹⁸ New York S 4538 (2025–2026).

¹¹⁹ Ingrid V. Eagly, Steven Shafer, and Renee Moulton, “Access to Counsel in Immigration Court, Revisited,” *Iowa Law Review* 111, no. 1 (2025), 1–61, 8, <https://ilr.law.uiowa.edu/volume-111-issue-1/access-counsel-immigration-court-revisited>.

¹²⁰ *Ibid.*, 8, 26.

¹²¹ *Ibid.*, 26.

¹²² Some attorneys may “triage,” or filter, cases based on attorney capacity, without considering the merits of the case. In this report, “triage” refers to the act of filtering cases based on other characteristics (such as the apparent strength of a case) or any selection criteria besides the attorney’s capacity.

¹²³ Pavilion, Agarwal, Montano, and Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two*, 2025, 29.

¹²⁴ Emily Ryo, “Detained: A Study of Immigration Bond Hearings,” *Law and Society Review* 50, no. 1 (2016), 117–153, 143, <https://www.jstor.org/stable/44122502>.

¹²⁵ Ingrid V. Eagly and Steven Shafer, “A National Study of Access to Counsel in Immigration Court,” *University of Pennsylvania Law Review* 164, no. 1 (2015) 1–91, 9, <https://pennlawreview.com/2015/12/25/a-national-study-of-access-to-counsel-in-immigration-court>.

¹²⁶ *Ibid.*, 9. The authors did not include dismissals in the outcomes, which would allow a person to remain in the United States. This differs from the definition Vera used in their analysis.

¹²⁷ *Ibid.*, 57–58. The results from the analysis are an odds ratio of 4.13, statistically significant at the 1 percent level. An odds ratio compares the odds of an event occurring (in this analysis, case termination) for one group (in this analysis, represented people) relative to the odds of an event occurring for another group (in this analysis, unrepresented people). Odds are the probability of an event occurring relative to the probability of other possible events occurring. The sample included cases that were not terminated and excluded applications for voluntary departure.

¹²⁸ *Ibid.*, 57–58. The odds ratio was 2.97, statistically significant at the 1 percent level.

¹²⁹ *Ibid.*, 48.

¹³⁰ The NYIFUP study considers “successful” outcomes, or those that allow a person to remain in the United States, as relief, termination, or administrative closure, differing from the definitions Vera used in the MIDA study. Stave, Markowitz, Berberich, et al., *Evaluation of the New York Immigrant Family Unity Project*, 2017, 26–27.

¹³¹ Between July 2015 and June 2025, among the 6,663,409 removal proceedings in immigration court, 3,905,868 (59 percent) were unrepresented. Executive Office for Immigration Review, “EOIR Case Data, (June 2025).”

¹³² As of June 2025, 1,326,813 people were represented in their removal proceedings compared to 166,535 in June 2015. Vera calculated the percent increase using unrounded numbers. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹³³ In June 2020, there were 1,393,717 pending removal proceedings, of which people had representation in 546,663. In June 2025, there were 3,550,877 pending removal proceedings, of which people had representation in 1,326,813. Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹³⁴ Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

¹³⁷ Two additional legal service providers, Beyond Legal Aid and Children’s Law Center, joined the collaborative in February 2025 and began taking cases in April 2025, after the data cutoff date for this evaluation.

¹³⁸ “A ‘Friend of the Court’ is a person or organization that participates in an immigration court proceeding in order to facilitate the flow of information in the courtroom. The role of a Friend of the Court is to increase pro se respondents’ understanding of the proceedings, as well as their rights and obligations, to the greatest extent possible. See generally 4 Am. Jur. 2d, Amicus Curiae, § 1. A Friend of the Court, however, is neither a party nor a representative of a party in the proceeding. See generally 4 Am. Jur. 2d, Amicus Curiae, § 5.” Executive Office for Immigration Review, “Friend of the Court,” May 5, 2022, 2, <https://perma.cc/G6WC-K9MH>.

¹³⁹ Executive Office for Immigration Review, “EOIR Announces 19 New Immigration Judges,” May 12, 2023, <https://perma.cc/UPY3-LZQ4>.

¹⁴⁰ See the MIDA Evaluation Technical Report, Appendix B, table B.3.

¹⁴¹ Ibid.

¹⁴² Pavilon, Agarwal, Montano, and Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two, 2025*, 24; and Vera Institution of Justice, *Los Angeles Justice Fund: Year 2 Evaluation* (New York: Vera Institute of Justice, 2020), 5, <https://www.vera.org/publications/los-angeles-justice-fund>.

¹⁴³ Pavilon, Agarwal, Montano, and Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two, 2025*, 20.

¹⁴⁴ Ibid., 21.

¹⁴⁵ Ibid., 22; including withholding-only clients, 10 out of 282 MIDA clients (3.5 percent) continued working with their attorneys after release from detention, and when limiting to only people in 240 proceedings, nine of the 225 MIDA clients (4 percent) continued working with their attorneys after release from detention; Vera Institute of Justice, “Safety and Fairness for Everyone Database,” 2025; Chicago Immigration Court, “IJ Hearing Calendar - Redacted - Detained,” April 25, 2022, through April 4, 2025; NIJC, “MIDA A# Tracking,” 2025; and Executive Office for Immigration Review, “EOIR Case Data (June 2025).”

¹⁴⁶ The MIDA organizations each have data-sharing memoranda of understanding in place with Vera. This research, including all data storage, privacy, and confidentiality protocols, has been approved by an independent institutional review board.

¹⁴⁷ The MIDA Evaluation Technical Report, Appendix A, provides a full list of the motions Vera included in the total motion count. Executive Office for Immigration Review, *Immigration Court Practice Manual, 2025*, 87–100.

¹⁴⁸ The MIDA Evaluation Technical Report, Appendix A, provides a full list of the motions Vera included in the total, procedural, and substantive motion counts.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Vera included requests for waivers in the count of applications. Waivers are a form of discretionary relief that a person can file asking the judge to forgive a violation of immigration law or avoid being denied relief.

¹⁵² The details of the methodologies used for each of these analyses are presented in the MIDA Evaluation Technical Report, Section 4. Vera reweighted to account for cases that were still ongoing with pending outcomes at the time of the data cutoff point. Failing to do this could have potentially biased the results for the following reason: When people are released from immigration detention, their cases are moved to a nondetained docket. It is possible their case may proceed much more slowly than if they had remained detained for the duration of their case. However, people are not released from detention at random. Therefore, certain cases—potentially those with stronger case merits—may be more likely to still be pending at the time of data cutoff. To account for this, Vera reweighted the data it uses in its final analyses using inverse probability censoring weighting. The details of this reweighting can be found in the MIDA Evaluation Technical Report, Section 4.2.

¹⁵³ Up until January 27, 2025, the Chicago immigration court, Illinois’s only immigration court, heard cases of people detained in many ICE facilities—primarily across Illinois, Indiana, Kentucky, and Wisconsin. After January 27, 2025, a new immigration court, which opened in Indianapolis, began adjudicating many removal proceedings that would have been docketed at the Chicago immigration court prior to the change, or that were already docketed at the Chicago immigration court and then transferred. For the purposes of this study, Vera treated anyone whose case was transferred to Indianapolis identically to other people in the sample, as long as their initial master calendar hearings occurred during the period of study on the Chicago detained docket. Vera followed the outcomes of these cases that were transferred to the Indianapolis court, as Vera did for all cases in the sample that were transferred to other courts. American Immigration Lawyers Association, “EOIR to Open New Immigration Court in Indianapolis,” January 7, 2025, <https://www.aiala.org/library/eoir-to-open-new-immigration-court-in-indianapolis>.

¹⁵⁴ An independent institutional review board approved Vera’s matching of the MIDA client data in the SAFE database with the EOIR data, in addition to providing approval for independent analyses of the different datasets.

¹⁵⁵ Vera calculated 2,850 people eligible for MIDA who were nonclients by taking the 3,075 MIDA-eligible people from Table 3 and subtracting the 225 MIDA clients.

¹⁵⁶ Among the 225 MIDA clients in Vera’s sample, 61 were released from immigration detention before the completion of their immigration court cases; nine of these people continued to receive representation from MIDA post-release.

¹⁵⁷ See the MIDA Evaluation Technical Report, Table 23.

¹⁵⁸ This is the result of the analysis of the impact of being offered a MIDA attorney on being allowed to remain in the United States. The MIDA Evaluation Technical Report, Table 9 Column 5, shows that the risk ratio for this analysis is 1.216 (statistically significant at the 10 percent level), indicating an increase in the relative probability of being allowed to remain in the United States of approximately 22 percent.

¹⁵⁹ This is the result of the analysis of the impact of being offered a MIDA attorney on being granted relief. The MIDA Evaluation Technical Report, Table 7 Column 5, shows that the risk ratio for this analysis is 1.568 (statistically significant at the 5 percent level), indicating an increase in the relative probability of being granted relief of approximately 57 percent.

¹⁶⁰ In the MIDA Evaluation Technical Report, Table 8 Column 5 shows that the impact of being a MIDA client on being granted relief has a risk ratio of 4.662 (statistically significant at the 1 percent level). This represents a 366 percent increase in the likelihood of being granted relief, or that this outcome is 4.7 times more likely. In another measure, Table 8

Column 1 shows that the impact of being a MIDA client on being granted relief has an odds ratio of 7.771 (statistically significant at the 5 percent level), meaning there was a nearly eightfold increase in the odds of relief. Researchers define odds as the likelihood of an outcome happening divided by the likelihood that it does not happen. For example, if an outcome jumps from a 50 percent likelihood of winning (1:1 odds) to a 75 percent chance of winning (3:1 odds), then the odds increase threefold.

¹⁶¹ See note 159.

¹⁶² Vera found in its second-year evaluation of MIDA that the program's merits-blind intake model helps close the gap in services for Spanish speakers, who face disproportionately low representation rates by non-MIDA attorneys, but more equitable representation rates in the MIDA program. Nevertheless, this finding indicates significant inequities remain relating to outcomes for Spanish speakers. As one solution to this inequity, the providers asserted that more expansive language services are needed. Paviion, Agarwal, Montano, and Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two*, 2025, 26–27.

¹⁶³ For the full distribution of languages of removal proceedings for the MIDA-eligible people in 240 proceedings during the study period, see the MIDA Evaluation Technical Report, Appendix B, Table B.2. Executive Office for Immigration Review, "EOIR Case Data (June 2025)."

¹⁶⁴ The MIDA Evaluation Technical Report, Appendix E, Table E.3 Column 1, shows that, for the outcome variable of being allowed to remain in the United States in Vera's intention-to-treat analysis, people who navigated their removal proceedings in Spanish had an odds of remaining in the United States that was 0.523 (roughly half) that of the odds of remaining for those who navigated their proceedings in English (the omitted language variable), statistically significant at the 1 percent level. Column 1 also shows there was no discernable statistically significant difference between the outcomes of people who navigated their proceedings in other languages (combined) relative to those who navigated their proceedings in English within the sample.

¹⁶⁵ The MIDA Evaluation Technical Report, Appendix E, Table E.9 Column 3, shows the average marginal effects for the African, Central Asian, and South Asian regions of origin on being released by ICE outside of the bond hearing process in Vera's intention-to-treat analysis are 0.244, 0.219, and 0.269 respectively, all statistically significant at the 1 percent level. This means, even controlling for having a MIDA attorney or not, people from Africa, Central Asia, and South Asia are—relative to the base comparison group of people from Mexico—approximately 24 percentage points, 22 percentage points, and 27 percentage points more likely to be released by ICE without a bond hearing, respectively.

¹⁶⁶ The MIDA Evaluation Technical Report, Appendix E, Table E.2 Column 3, shows that the average marginal effect for the Central Asian region of origin on being granted relief in Vera's treatment-effect-on-the-treated analysis is insignificant. The average marginal effect for the South Asian region of origin is not displayed due to perfect multicollinearity—in other words, no people from South Asia in the sample were granted relief. The average marginal effect for the African region of origin on being granted relief is 0.085, statistically significant at the 10 percent level. This indicates that, apart from people from Africa—who were more likely both to be released by ICE without a bond hearing and to be granted relief—people from other regions of origin whom ICE was more likely to release than other nationalities were not more or less likely to be granted relief.

¹⁶⁷ The MIDA Evaluation Technical Report, Appendix E, Table E.8 Column 3, shows the average marginal effects for the Central American and South American regions of origin on being released on bond set by an immigration judge in Vera's treatment-effect-on-the-treated analysis are 0.044 and 0.078, statistically significant at the 5 and 10 percent levels, respectively. This means, even after controlling for having a MIDA attorney or not, people from Central America and South America are—relative to the base comparison group of people from Mexico—approximately 4 and 8 percentage points more likely to be released on bond by an immigration judge, respectively. These average marginal effects are smaller in magnitude, weaker in statistical significance, and cover a smaller number of regions of origin than those in the logit model for being released by ICE without a bond hearing (see note 165).

¹⁶⁸ Vera deemed people as being "likely an asylum seeker" based on their country of origin and the number of people who were displaced from that country, relative to the country's population, in a given year. For this determination, Vera used data from the United Nations. See the MIDA Evaluation Technical Report, Section 3.4, for a full explanation of this definition.

¹⁶⁹ *Damus v. Nielsen*, 313 F. Supp. 3d 317 (D.D.C. 2018).

¹⁷⁰ The MIDA Evaluation Technical Report, Table 14 Column 5, shows that the risk ratio for the impact of being a MIDA client on being released on bond set by an immigration judge is 1.464, statistically significant at the 10 percent level.

¹⁷¹ The MIDA Evaluation Technical Report, Table 12, shows that the results for being a MIDA client on having a bond hearing are not statistically significant.

¹⁷² EOIR, *Immigration Court Practice Manual*, 2025, 87–100. The MIDA Evaluation Technical Report, Appendix A, provides the full list of motions that Vera categorized as procedural and substantive.

¹⁷³ The MIDA Evaluation Technical Report, Table 18 Column 1 and Table 20 Column 3, show that being a MIDA client has a statistically significant impact on the number of motions (coefficient 0.480) and substantive motions (coefficient 0.200) filed, statistically significant at the 1 and 5 percent levels, respectively.

¹⁷⁴ The MIDA Evaluation Technical Report, Appendix E, Table E.12 Column 3, shows that being a MIDA client does not have a statistically significant impact on the number of applications a person has filed.

¹⁷⁵ Jill M. Williams, "With Trump Ramping up Immigration Enforcement, Immigrant Legal Access Programs Are Now Needed More Than Ever," February 12, 2025 (London: London School of Economics and Political Science, 2025), <https://perma.cc/GANG-3ZUM>.

¹⁷⁶ The MIDA Evaluation Technical Report, Appendix E, Table E.2, shows a negative and statistically significant coefficient on the first-stage residual term in the second-stage residual inclusion model for the impact of being a MIDA client on being granted relief. This indicates that people’s unobservable characteristics that are associated with a person being more likely to accept MIDA representation, if offered, are also associated with a lower likelihood of being granted relief. The statistical significance of these residuals also indicates that there is a selection effect into or out of representation that cannot be ignored without biasing results and that the instrumented analyses Vera used were necessary to achieve statistically unbiased results on the effects of representation.

¹⁷⁷ Of the 193 people who refused MIDA services without going through a screening, immigration judges ordered 112 of them removed and granted 27 of them voluntary departure at that same hearing. NIJC, “MIDA A# Tracking,” 2025.

¹⁷⁸ There may be many reasons that people opt out of services; “detention fatigue” is one explanation provided by MIDA attorneys. Pavilion, Agarwal, Montano, and Ajike, *Evaluating the Impact of the Midwest Immigrant Defenders Alliance: Year Two*, 2025, 20–21.

¹⁷⁹ Laurence Benenson and Nicci Matthey, “The First 100 Days of the Second Trump Administration: Key Immigration-Related Actions and Developments,” National Immigration Forum, April 28, 2025, <https://forumtogether.org/article/the-first-100-days-of-the-second-trump-administration-key-immigration-related-actions-and-developments>.

¹⁸⁰ The MIDA Evaluation Technical Report, Table 24 Column 5, shows that when interacting an indicator for the presidential administration with the assignment of treatment, there were no statistically significant differences in the effect of the MIDA program across administrations for case outcomes and bond outcomes.

¹⁸¹ The MIDA Evaluation Technical Report, Table 24 Column 5, shows that when interacting an indicator for the presidential administration with the assignment of treatment, the impact of the MIDA program on the number of motions filed, particularly procedural motions, was statistically significantly higher under the second Trump administration than under the Biden administration.

¹⁸² Ximena Bustillo and Scott Simon, “The Trump Administration Fired Nearly 100 Immigration Judges in 2025. What’s Next?,” NPR, January 10, 2026, <https://www.npr.org/2026/01/10/nx-s1-5672386/the-trump-administration-fired-nearly-100-immigration-judges-in-2025-whats-next>.

¹⁸³ The MIDA Evaluation Technical Report, Appendix F tables F.1 and F.2, presents the differences in judge effects for the intention-to-treat and treatment-effect-on-the-treated analyses respectively. Under both analyses, immigration judges differed substantially in their levels of leniency or strictness, even after accounting for demographic and case characteristics and whether representation was offered or received. The MIDA Evaluation Technical Report, Appendix F, tables F.3 and F.4, shows the judge-specific treatment effects, and tables F.5 and F.6 show the differences in treatment effects across judges for the intention-to-treat and treatment-effect-on-the-treated analyses respectively. Tables F.3 and F.4 show that the treatment effects are mostly non-negative across all the judges in the sample, and tables F.5 and F.6 show little evidence of systematic differences in the treatment effects across judges.

¹⁸⁴ The MIDA Evaluation Technical Report, Appendix F, tables F.5 and F.6, shows there are meaningful differences in the treatment effect across immigration judges looking at the number of procedural motions filed.

¹⁸⁵ This number includes the client only and not any derivatives on their case.

¹⁸⁶ Forty-nine percent of people (1,792 out of 3,683) whose initial master calendar hearings were scheduled on the Chicago detained docket during the period of study were of Mexican national origin.

¹⁸⁷ Vera, “Safety and Fairness for Everyone Database,” 2025.

¹⁸⁸ The MIDA client employment rate is among those who reported employment information. Of the 282 MIDA clients, 189 reported employment information, among whom 128 (68 percent) were employed and 61 were not employed in the 12 months prior to being detained. Comparatively, 68 percent of noncitizens and 61 percent of U.S.-born citizens were employed across Illinois, Indiana, Kentucky, and Wisconsin in 2023. Vera calculated state-level employment rates as the number of people employed out of the relevant population over age 16. The employment rate for U.S.-born citizens is lower as the U.S. population is older than noncitizen and MIDA client populations. Restricting to the age range of MIDA clients (18 to 66), the employment rates of noncitizens and U.S.-born citizens across the four states in 2023 were 73 percent and 75 percent, respectively. Vera calculated the employment rates for the states using the U.S. Census Bureau’s 1-Year American Community Survey. Steven Ruggles, Sarah Flood, Matthew Sobek, et al., “IPUMS USA: Version 16.0,” dataset (Minneapolis, MN: IPUMS, 2025), <https://doi.org/10.18128/D010.V16.0>. Vera used client employment information from the following dataset: Vera Institute of Justice, “Safety and Fairness for Everyone Database,” 2025.

¹⁸⁹ Among the 128 MIDA clients who reported being employed in the 12 months prior to being detained, 37 worked in construction, 17 worked in manufacturing, and 15 worked in food preparation/food services. Vera, “Safety and Fairness for Everyone Database,” 2025.

¹⁹⁰ Among the 282 MIDA clients, 126 reported being employed and also shared family information. Of those, 71 had a family—as defined by having either a spouse or children present in the household. Among those employed with a family, 54 reported earning at last half of their household income. Vera Institute of Justice, “Safety and Fairness for Everyone Database,” 2025.

¹⁹¹ Vera Institute of Justice, “Safety and Fairness for Everyone Database,” 2025.

¹⁹² Ibid.

¹⁹³ Among the children who were living in the households of MIDA clients, 150 out of 190 were U.S. citizens. Vera, “Safety and Fairness for Everyone Database,” 2025.

¹⁹⁴ In certain circumstances, MIDA clients can continue working with their attorney following release from immigration detention, pending attorney capacity and restrictions on the specific MIDA organization’s funding.

¹⁹⁵ According to the Immigration and Nationality Act, 240 proceedings are removal proceedings in which an immigration judge determines a person's inadmissibility or deportability. Withholding-only proceedings are limited proceedings in which a judge may consider applications for withholding of removal (or restriction on removal) for people subject to either expedited removal under INA § 238(b) or reinstatement of a prior order of removal under INA § 241(a)(5) who have a reasonable fear of persecution or torture. See also EOIR, *Immigration Court Practice Manual*, 2025, 113–115; and Vera Institute of Justice, "Safety and Fairness for Everyone Database," 2025.

¹⁹⁶ Vera Institute of Justice, "Safety and Fairness for Everyone Database," 2025.

¹⁹⁷ Ten out of 282 MIDA clients (3.5 percent) continued working with their attorneys after release from detention. Vera Institute of Justice, "Safety and Fairness for Everyone Database," 2025; Chicago Immigration Court, "IJ Hearing Calendar - Redacted - Detained," April 25, 2022 through April 4, 2025; NIJC, "MIDA A# Tracking," 2025; and Executive Office for Immigration Review, "EOIR Case Data (June 2025)."

¹⁹⁸ MIDA attorneys filed 169 motions, of which 54 were substantive motions. These counts do not include the following motions: motion to withdraw as counsel (46), motion to substitute counsel (10), and motion to preterm (1).

¹⁹⁹ In counting the number of motions filed, Vera considers only a subset (263) of the total MIDA clients (282). This subset represents those MIDA clients who could be matched into the EOIR Motions dataset and, therefore, have their filed applications counted within that dataset. Vera calculated 40 percent as 105 out of 263 MIDA clients. This does not include the following motions: motion to withdraw as counsel, motion to substitute counsel, and motion to preterm. See MIDA Evaluation Technical Report, Section 2, for more information on Vera's data matching methodology.

²⁰⁰ In counting the number of applications filed, Vera considers only a subset (263) of the total MIDA clients (282). This subset represents those MIDA clients who could be matched into the EOIR data and, therefore, have their filed applications counted within that dataset. Out of these 263 MIDA clients, 135 had an application filed on their behalf. See MIDA Evaluation Technical Report, Section 2, for more information on Vera's data matching methodology.

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Credits

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