



Est. 1992

Coalition of Bar Associations of Color

RESOLUTION SUPPORTING IMMIGRANT FAMILIES AND CHILDREN SEEKING HUMANITARIAN PROTECTION

Endorsed March 2015

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1992, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of CBAC are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, the member organizations of CBAC are the national voices of their respective legal communities in the United States and its territories and possessions; and

WHEREAS, the United States has a long-standing tradition of offering refuge to individuals fleeing persecution and war from around the world, including leading efforts in 1951 to draft the International Refugee Convention and becoming a signatory to the 1967 Protocol which carries with it certain obligations for refugees protection; and

WHEREAS, people of color have come to the United States as refugees from many different parts of the globe; and

WHEREAS, for example, almost 3 million individuals from Vietnam, Cambodia and Laos came to the United States as refugees escaping war and persecution beginning in the 1970s; and

WHEREAS, for example, in the past 10 years refugees from Burma and Bhutan in the United States have dramatically increased and currently are the largest refugee groups in the United States; and

WHEREAS, for example, in recent years there has been increasing migration of families and children, often unaccompanied, to the United States fleeing violent and unstable conditions in Central America; and

WHEREAS, unaccompanied minor children, many of whom have experienced significant trauma, do not currently have the right to appointed counsel, and children as young as toddlers are forced to navigate immigration removal proceedings without legal representation unless they are

able to secure pro bono counsel; and

WHEREAS, families with children are frequently placed in detention centers that are extremely detrimental to children's and families' well-being, and the remote locations make it difficult for immigrants to secure legal representation to help them obtain any legal relief for which they may qualify; and

WHEREAS, legislative proposals attempting to limit protections for refugees or persons seeking asylum, and administrative policies and practices that impede the ability of immigrants to seek legal protection are misguided and undermine our commitment to American values and fundamental human rights; and

NOW THEREFORE BE IT RESOLVED, that CBAC calls for Congress to:

- introduce legislation to provide for the appointment of counsel for unaccompanied minor immigrant children;
- oppose legislation that would further limit or curtail humanitarian and/or due process protections currently provided under federal law; and
- ensure adequate funding for the Office of Refugee Resettlement and the immigration courts.

NOW THEREFORE BE IT RESOLVED, that CBAC calls for the Administration to:

- rollback the use of expedited removal in border areas, address documented failures in asylum-related safeguards in expedited removal during Customs and Border Protection processing, and strengthen credible fear training and guidance so that individuals who have a significant possibility of establishing asylum eligibility are not prevented from filing requests for asylum;
- end the detention of families and unaccompanied children—including the detention of mothers from Central America and their children—which results in egregious human rights violations, traumatizes children and families, undermines the family structure, and impedes due process;
- end the policies of opposing release on bond for Central American families and requesting extremely high bonds that families cannot pay;
- champion adequate staffing and funding for the immigration courts and asylum office so all asylum cases move ahead in a timely but not rushed manner instead of being delayed for years, as well as additional funding for legal counsel and legal orientation presentations, while taking further steps to address the “rocket docket” approach; and
- support the use of case management and other appearance support measures, rather than detention, in cases where it is determined based on an individualized assessment that the individual or family needs additional support to assure appearance for immigration court hearings.

NOW THEREFORE BE IT RESOLVED, that CBAC also supports other efforts and laws that are consistent with this resolution; and

NOW THEREFORE BE IT FURTHER RESOLVED, that CBAC authorizes its officers and staff to communicate the content of this resolution to other bar associations, advocacy groups, members of

Congress, the Administration, the press, and to whomever else CBAC board deems suitable to receive the information; and

NOW THEREFORE BE IT FINALLY RESOLVED, that this resolution shall be the policy of CBAC until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

We, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly-noticed meeting of the Coalition Bar Associations of Color.



Cynthia Mares

Cynthia Mares
President, Hispanic National Bar Association

3/2/2015
Date

George C. Chen

George C. Chen
President, National Asian Pacific American Bar Association

3/2/2015
Date

Pamela Meanes

Pamela Meanes
President, National Bar Association

3/2/2015
Date

Mary Smith

Mary Smith
President, National Native American Bar Association

3/2/2015
Date