WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 40,000 attorneys and nearly 70 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

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;

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

WHEREAS, 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;

WHEREAS, 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;

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;

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.
NAPABA Statement of Support for Immigrant Families and Children
Seeking Humanitarian Protection

THEREFORE BE IT RESOLVED, that NAPABA:

1. Calls for Congress to:
   a. Introduce legislation to provide for the appointment of counsel for unaccompanied minor immigrant children.
   b. Oppose legislation that would further limit or curtail humanitarian and/or due process protections currently provided under federal law.
   c. Ensure adequate funding for the Office of Refugee Resettlement and the immigration courts.

2. Calls for the Administration to:
   a. 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.
   b. 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.
   c. End the policies of opposing release on bond for Central American families and requesting extremely high bonds that families cannot pay.
   d. 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.
   e. 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.

3. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary.

4. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.