



Do Lawyers Pay for Themselves?

A Cost-Benefit Analysis of Providing Public Counsel in Immigration Removal Proceedings

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How Do Lawyers Affect Removal Proceedings?

Benefits (Cost Savings) of Providing Public Counsel



Lawyers Would Make Proceedings More Efficient and More Accurate

- Reduced Detention Time:
 - Detainees would no longer need continuances to seek legal counsel (and extend their stays in detention)
 - Detainees without much chance for relief would have their cases adjudicated more quickly
 - More respondents would secure release through bond and thus largely avoid detention
- Higher Win Rates – More respondents would win their cases and fewer would be deported

Detention Cost Savings



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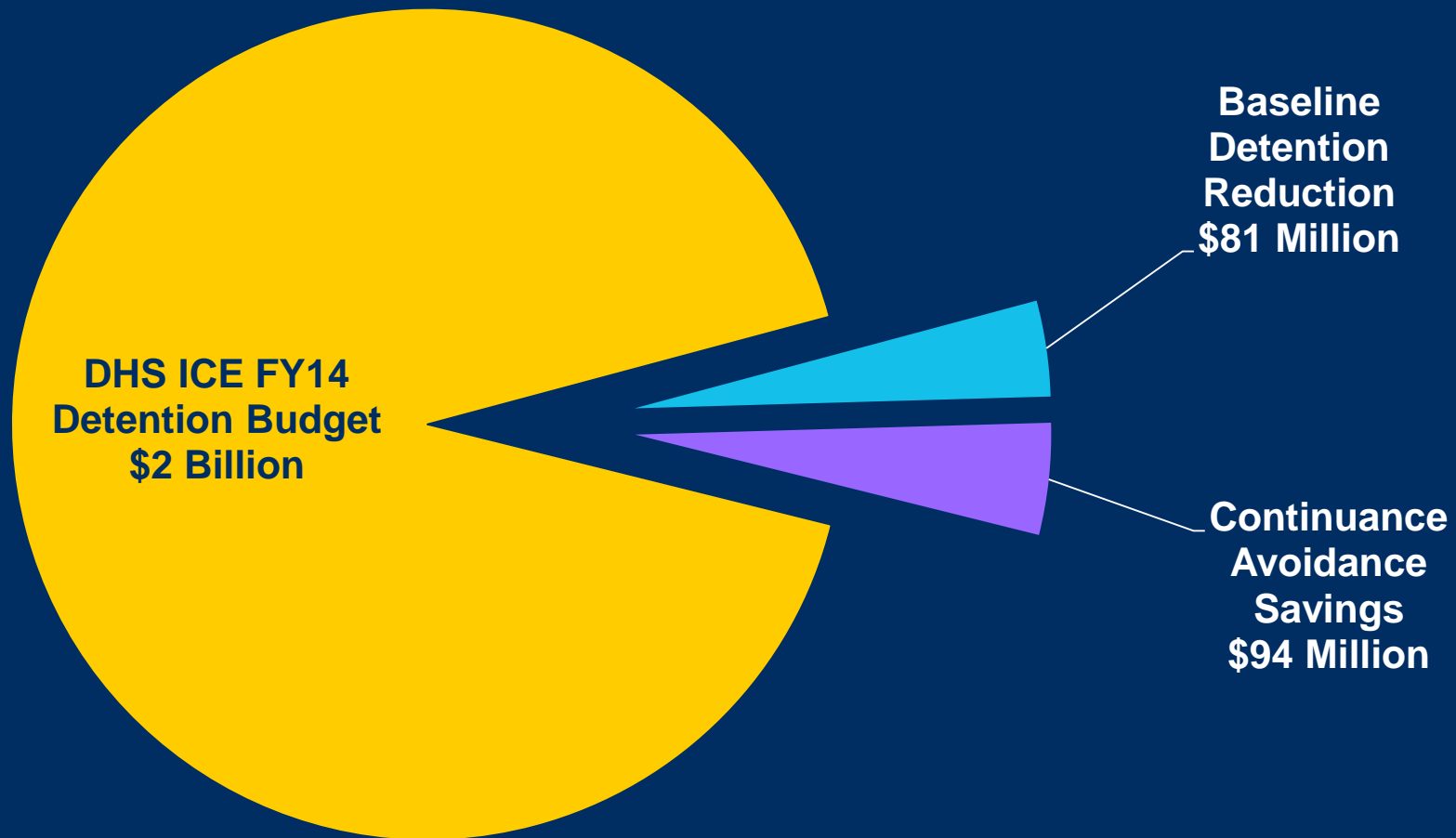
- As a baseline, Legal Orientation Program (LOP) saves an average of 11 days of detention per detainee
- Detainees who would otherwise seek but fail to find representation (34%) would save 13 days
- Detention costs an estimated \$159-161 per detainee per day

Lawyers would eliminate an estimated 1.1 million detention days, saving \$174 million per year

\$173-\$174 Million in Annual Detention Cost Savings



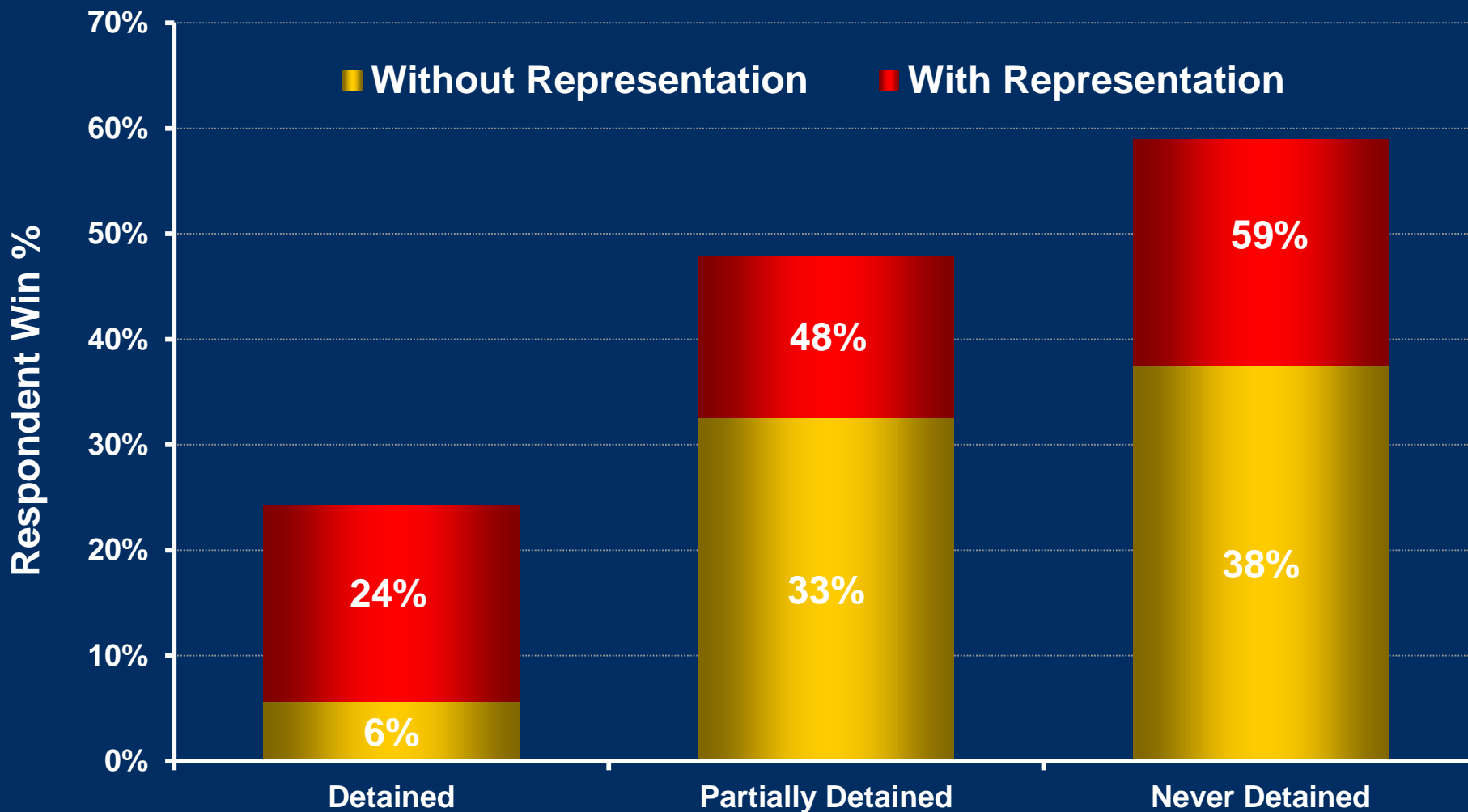
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Lawyer's Effect on Case Outcomes



Respondent Win Rates





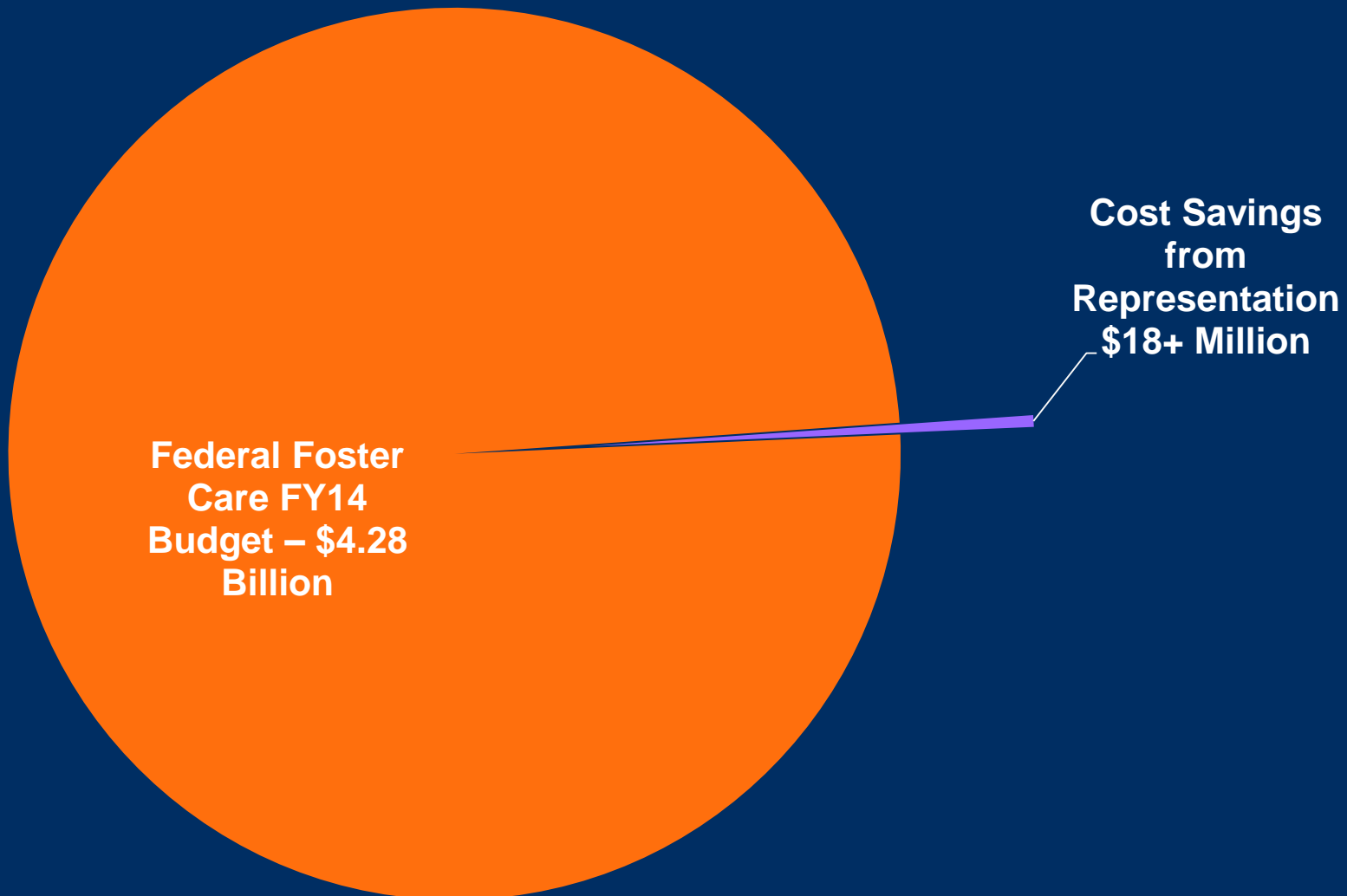
Higher Case Win Rates Means Fewer Deportations

- 5,100 children whose parents have been either detained or deported are in foster care at an annual federal cost per child of \$28,526
 - By increasing win rates, public counsel could reduce this number by over 600, saving \$18+ million
- Each removal costs the federal government \$559 on average in transportation costs
 - Higher win rates would eliminate 17,550 departures, saving \$9.8 million

Foster Care Cost Savings



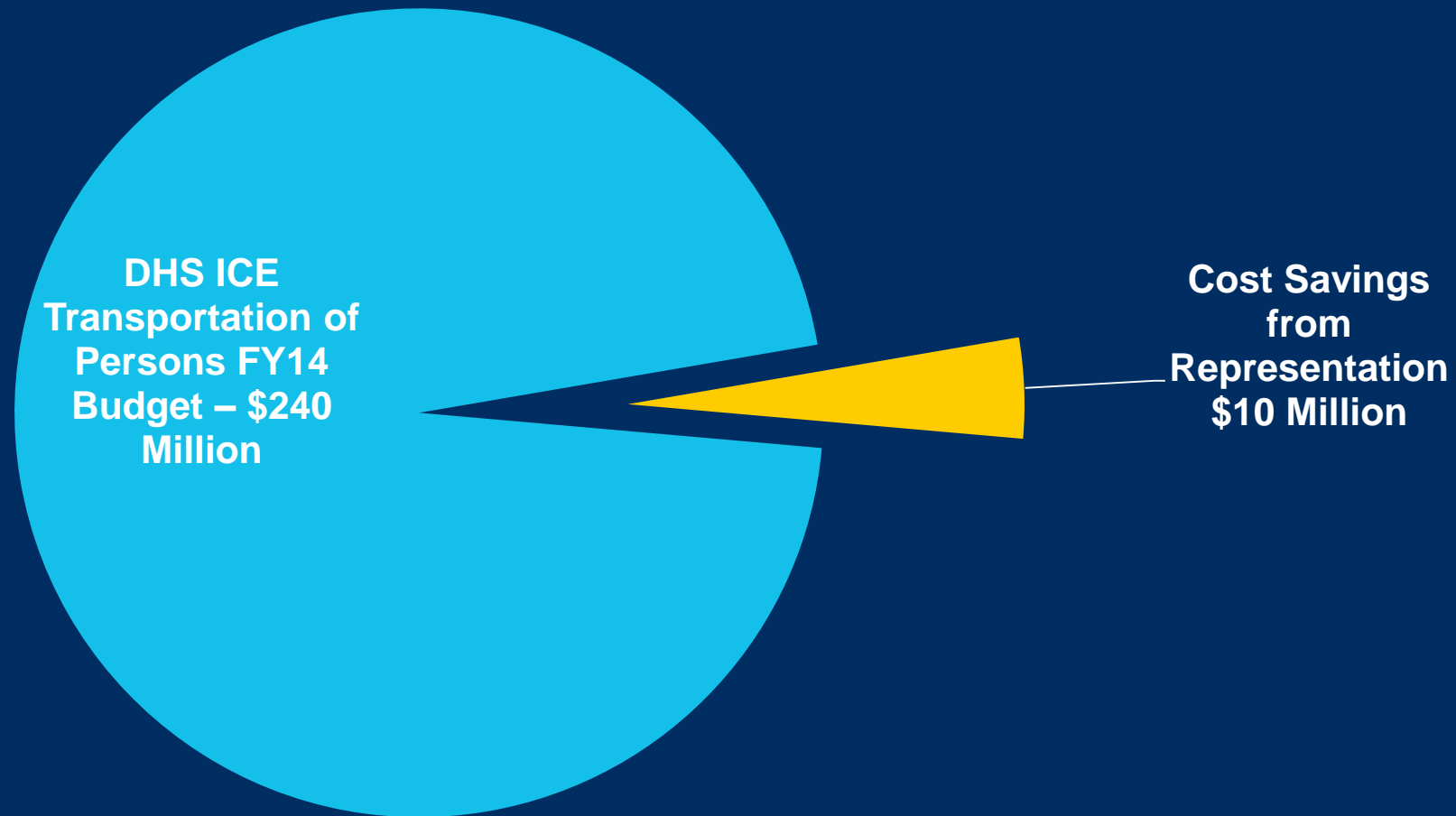
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Removal Transportation Cost Savings



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How Much Would It Cost to Provide Free Legal Representation?

Costs of Providing Public Counsel

How Many Lawyers Are Needed?



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- 93,573 estimated cases without representation in FY14
- Case lengths are thought to be bimodal:
 - Short cases (65% overall) assumed to take 1.5 hours of attorney time
 - Long cases (35% overall) assumed to take 85 hours of attorney time
- 2.9 million hours of attorney time needed
- Lawyers are assumed to work 1,799 case hours per year

1,612 Attorneys Needed

How Much Do Lawyers Cost?



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- Need to consider:
 - Salary
 - Benefits
 - Supervisory and administrative staff
 - Office space, transportation and other overhead
- Total cost estimate of \$128,850 per lawyer per year, based on budget of the Legal Services Corporation, which is a publicly funded national legal aid organization

Total Proposal Cost



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1,612 Attorneys Needed

X

\$128,850 per Attorney per Year

=

\$208 Million Annual Cost



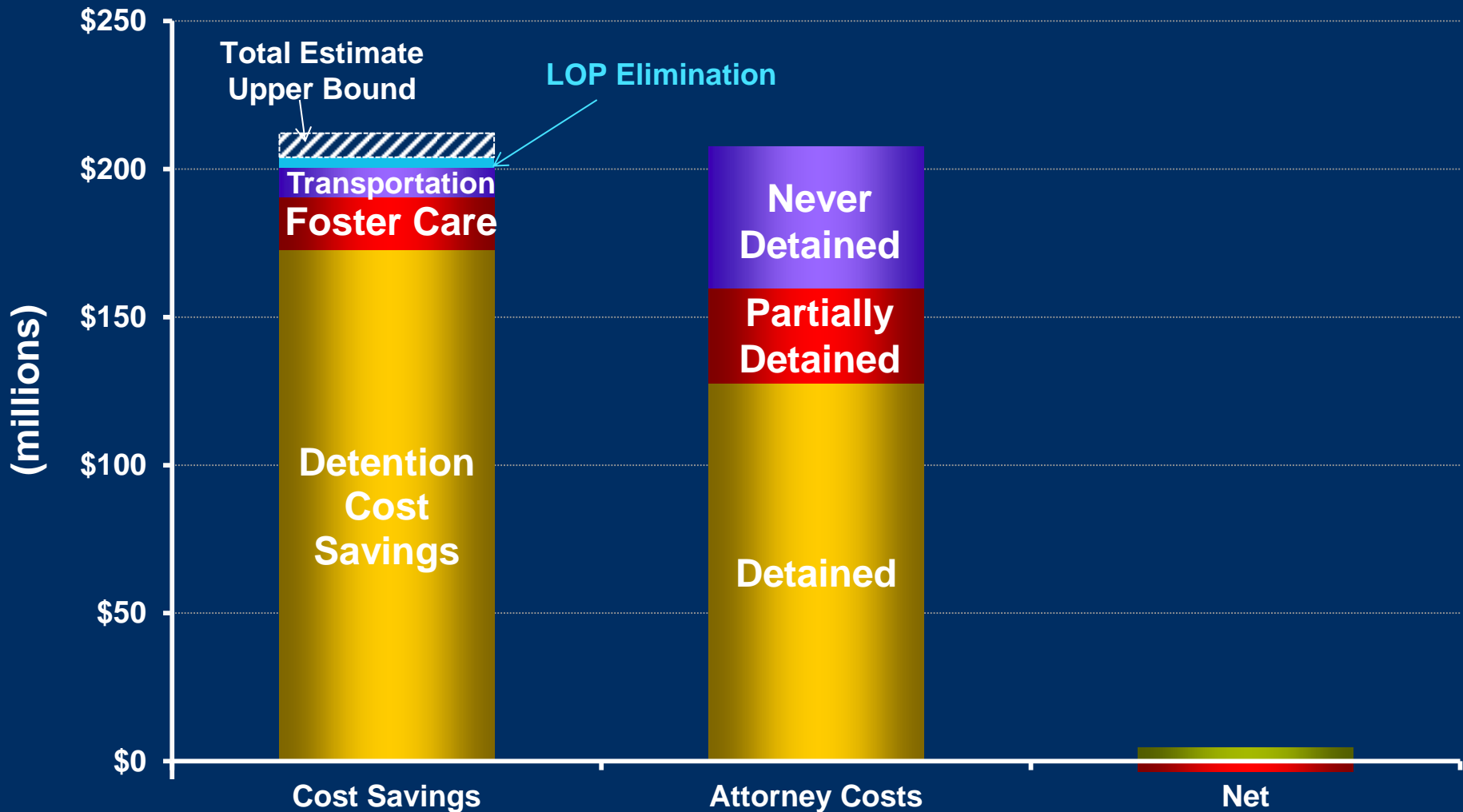
Benefit Cost Comparison

Would Attorneys Pay for Themselves?

Benefits Versus Costs



Costs Savings Approximate Costs





- Unquantified Benefits
 - Respondents who would otherwise be detained or deported are free to work and contribute economically to their communities
 - Additional detention cost savings from respondents who are released on bond
 - Reduction in cases processing times frees up court staff
 - Cost savings for states
 - Foster care and healthcare for children



Contact Us

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