



FISCAL YEAR 2024-2025 SAN DIEGO COUNTY IMMIGRANT LEGAL DEFENSE PROGRAM ANNUAL REPORT

San Diego County Public Defender Office of Assigned Counsel
and Public Safety Group Executive Office

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Executive Summary

This summary provides an overview of the Immigrant Legal Defense Program's (ILDP) operations for Fiscal Year 2024-2025. The ILDP offers legal representation to detained immigrants facing removal proceedings or deportation. At Board of Supervisors direction, the Public Defender's Office of Assigned Counsel (OAC) launched the ILDP in April 2022. ILDP includes an Advisory Panel of local immigration attorneys, regional immigrant rights directors, and the Directors of the Office of Assigned Counsel and the Office of Immigrant and Refugee Affairs. Representation through ILDP is provided under a universal, merits-blind model, ensuring access to counsel regardless of income or perceived case strength.

The program has provided representation on over 2,100 cases, including over 1,200 in Fiscal Year 2024-2025. Of these, 700 were newly opened during the fiscal year. As case volume has increased, partly due to a rise in enforcement activity, expedited removal procedures, and jurisdictional transfers, case coordination became more complex. To meet the demand, OAC added 11 new attorneys and implemented case management protocols to prevent duplicate representation and ensure timely case assignment. In total, 54 attorneys provided services to the program in Fiscal Year 2024-2025.

ILDP has contributed to an increase in representation for detained clients in the San Diego and Otay Mesa Immigration Courts as indicated by data from the federal Executive Office for Immigration Review (EOIR). Representation for detained individuals at Otay Mesa Immigration Court increased from 26% in FY 2022–2023 to 41% in FY 2024–2025. The Attorney of the Day (AOD) program also expanded during this period, supporting case coordination and helping ensure that unrepresented individuals at initial hearings received orientation and screening for eligibility.

Data collection has been a critical aspect of the program's operation. Despite challenges, the program has gathered substantial information on client demographics, case outcomes, detention levels, and applications for relief. Asylum remains the most common form of relief sought, comprising approximately 70% of all relief applications. ILDP clients come from more than 60 countries, with Colombia, El Salvador, Honduras, Mexico, and Venezuela among the most represented. In addition, ILDP supported the release of 132 individuals from custody, with a median detention period of 90 days. Among non-detained clients, 71% reported living with family members during proceedings.

The program also facilitated improved access to court proceedings for individuals in remote detention centers, implemented interpreter coordination improvements, and collaborated with legal service providers and nonprofit agencies to streamline referrals and client screening.

Since its inception, ILDP has incurred total program costs of approximately \$10.6 million. In Fiscal Year 2024-2025, program costs totaled nearly \$6.1 million. The average cost per closed case was \$6,300. For FY 2025–2026, total available funding is \$9.6 million (\$5 million budgeted and \$4.6 million in carryover). Due to the milestone-based payment system and the length of immigration proceedings, program expenditures are expected to continue to escalate in future years.

The program remains committed to supporting clients through a complex and evolving legal landscape. Looking ahead, priorities include continued collaboration with Immigration Court partners, strengthening data coordination, improving case tracking, and expanding attorney capacity to meet ongoing increases in demand.

Report Overview

This report provides a comprehensive summary of ILDP's operational activities during Fiscal Year 2024–2025. It includes analysis of client demographics, representation trends, custody and detention patterns, applications for relief, and program expenditures. It also situates ILDP within the broader context of San Diego County's immigration legal services and outlines the program's response to policy and operational shifts.

Legal Coordinator Program Summary

This section provides a summary of the fiscal year in review, highlighting program challenges, adjustments, and successes.

ILDP operations during the fiscal year were shaped by shifts in federal immigration policy. These policy changes affected case timelines and procedures, prompting internal program adjustments.

The Immigrant Legal Defense Program (ILDP) has represented over 2,100 clients. The primary source for identifying clients continues to be the program referral telephone line from the Otay Mesa Detention Center (OMDC). This year, a speed dial direct line from OMDC was implemented as part of an ACLU settlement to improve access to counsel for detained Department of Homeland Security (DHS) immigrants. Additionally, the Attorney of the Day (AOD) program at OMDC expanded, with ILDP attorneys attending special master calendar hearings every other Wednesday. Established in 2023, this program assists in complex cases involving unrepresented individuals, whose matters get continued for orientation counseling and possible legal representation. On average, 8-12 new cases are assigned bi-weekly. The AOD program currently operates in two Immigration Court departments. Developed in close collaboration with Immigration Judges and the Assistant Chief Immigration Judge for the region, the program has supported more efficient case processing and contributed to efforts to reduce the local court backlog. Based on the observed impact, the court has expressed interest in expanding the program to additional departments.

Client self-referrals have also increased. Some clients seek legal assistance from multiple organizations due to current uncertainty about immigration proceedings. To address this, ILDP established policies and procedures for cross-referencing cases to ensure clients are not assigned duplicate legal representation.

Reductions in federal funding for non-profit immigration legal services have increased demand for ILDP support. The ILDP has become a primary source of indigent legal representation for detained individuals in immigration removal proceedings in the region.

A significant challenge during the fiscal year was the unexpected transfer of some clients to other jurisdictions, which disrupted cases and impacted resources. Many of these clients were being transferred just prior to their scheduled merits hearing trial, after months of attorney and retained expert witness work had already been expended. The ILDP legal coordinator met with EOIR and DHS officials to address these issues. Meetings were also held with Immigration and Customs Enforcement (ICE), DHS, Congressional officials, and immigration attorneys, to mitigate the impact of these transfers and develop strategies to keep clients within their original jurisdiction.

Federal policy changes during the second half of the fiscal year led to some operational adjustments for ILDP. Customs and Border Protection (CBP) discontinued the CBP One phone application that allowed migrants to apply for asylum and coordinate appearance dates prior to entry. DHS has ceased issuing

parole grants that allowed temporary admission to the US for individuals awaiting processing of their case. ICE presence and arrests have increased dramatically throughout all sectors of the community. Immigrants and prospective clients are being arrested at home, at their place of employment, and in public settings throughout the region. ILDP attorneys also reported new enforcement practices, including increased in-person arrests at immigration court, and noted that attorney presence during these interactions helped clarify case status and ensure due process. The change in custodial status has made previously ineligible immigrants now eligible for ILDP representation services, adding capacity pressures to the program.

The current expedited removal policy has required program adjustments. Immigrants may no longer receive a credible fear interview or have an attorney present. They can be in court within a week of arrest, facing dismissal and deportation orders. Clients can be brought to court and deported within days. More immigrants are in custody, increasing the number of program-eligible clients and expedited cases. To remain effective, ILDP has expedited case assignments and started legal representation sooner.

Expedited removals have significantly increased attorney case volumes, making recruitment of new attorneys a top priority. In the past year, ILDP has grown to 54 program lawyers, with 11 new additions. Recruitment efforts continue as program capacity remains a significant risk due to more arrests and case assignments.

Client Access and Intake Coordination

OAC continues to operate an intake telephone line to connect clients to ILDP. The line is staffed by intake coordinators employed by the Public Defender’s Office. During Fiscal Year 2024–2025, the line received 4,248 calls, averaging 354 per month, with about 28 calls per month related to new client intakes. Figure 1 shows average monthly call volume over the previous three Fiscal Years.

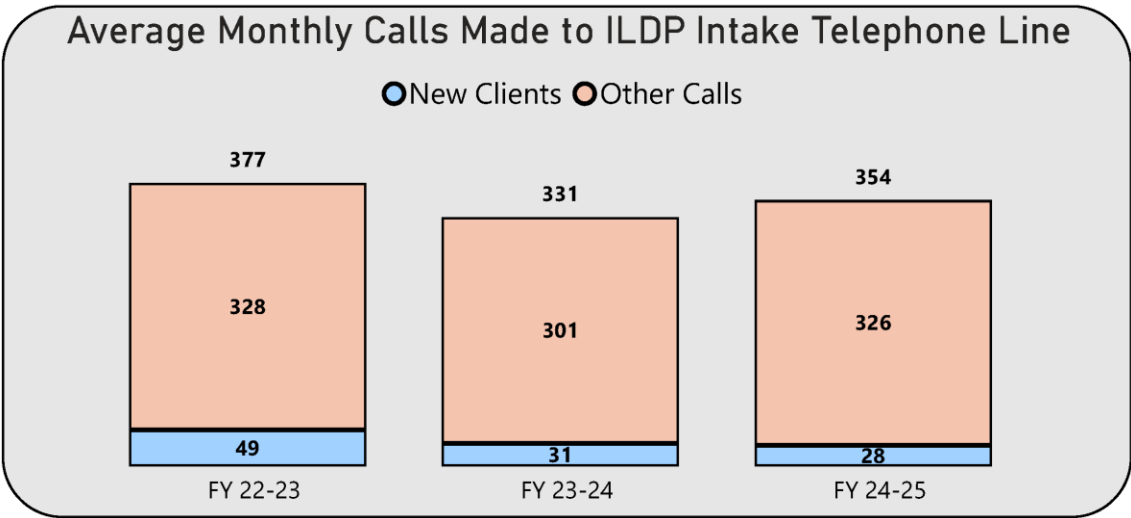


Figure 1. Calls made to ILDP intake telephone line

ILDP was established with a goal of providing universal, merits-blind representation. Clients are eligible for the program if they have been detained or monitored through Alternatives to Detention; cases are not screened based on the likelihood of success.

OAC intake staff collect case details and match eligible clients to attorneys, prioritizing those with urgent needs. This report excludes cases that are assigned to an ILDP attorney after intake but do not move forward in the program under that attorney, either because representation was not initiated or the case was reassigned.

Intakes Have Increased with Case Volume

In Fiscal Year 2024–2025, the average number of monthly intakes was 61, exceeding the average of 32 monthly case closures. Figure 2 shows how monthly intakes and closures have changed over time.

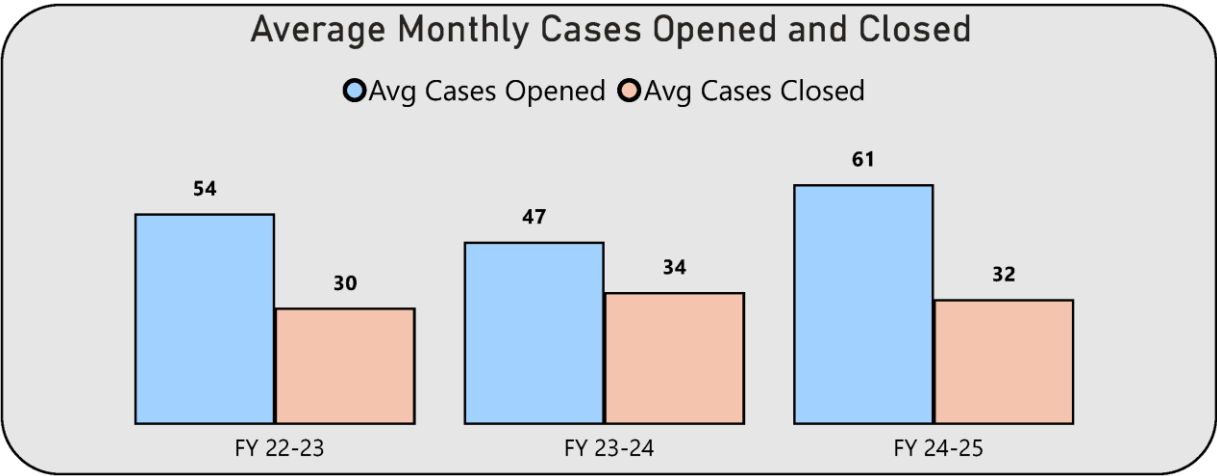


Figure 2. Average cases opened and closed per month
Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023.

The median number of days between entry to the US and case opening in Fiscal Year 2024-2025 was 111, with 44% of clients beginning representation in under 90 days of entry. While many receive representation soon after entry, case durations often extend beyond a year due to the length of the immigration court process, which involves infrequent hearings and case events.

ILDP attorneys have continued to manage growing intakes and caseloads. However, if contracted attorney capacity is reached and OAC is unable to recruit additional immigration attorneys, monthly intakes may need to be capped or reduced.

Figure 3 shows the number of active cases per year, broken down by new and existing clients. In Fiscal Year 2024-2025, ILDP attorneys handled 1,283 cases, with 546 (43%) opened in a prior fiscal year.

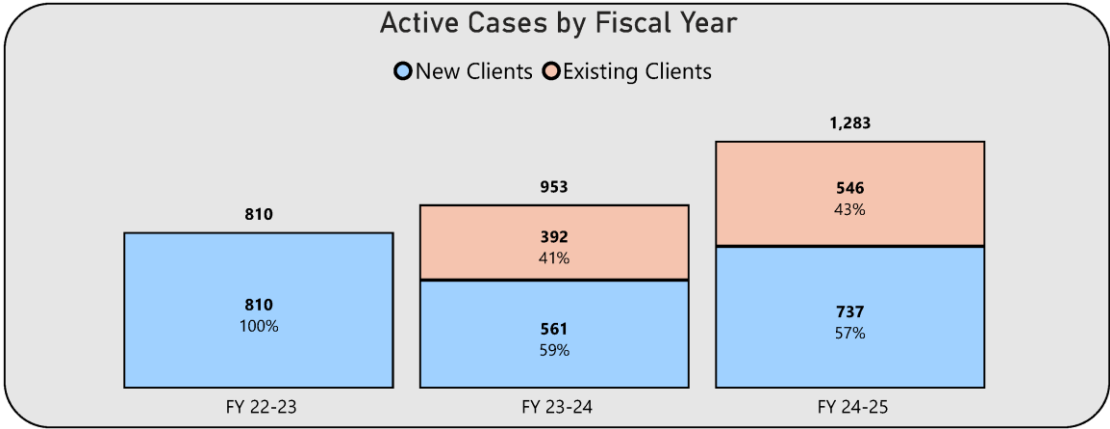


Figure 3. Active cases per year for clients served
Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Figure 4 shows the cumulative increase in the number of attorneys who have provided ILDP services over time. While some attorneys from prior years may no longer be active, the total pool of participating attorneys has grown each year, from 32 in Fiscal Year 2022-2023 to 54 in Fiscal Year 2024-2025. This growth aligns with the rising number of cases handled through the program.

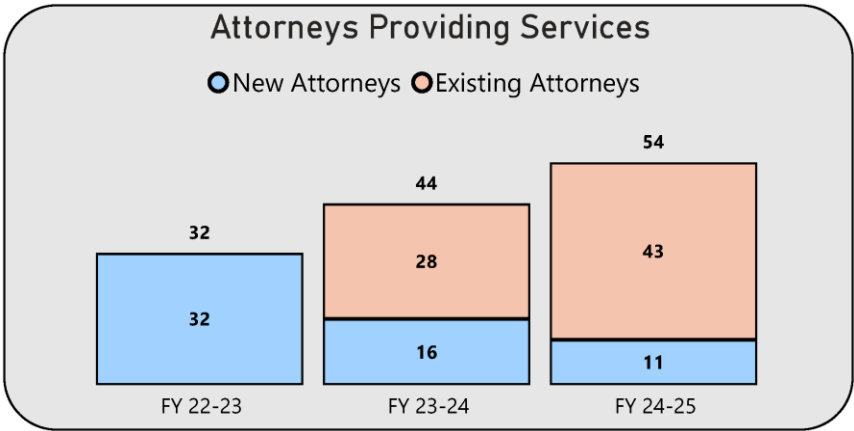


Figure 4. Attorneys providing services
Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023.

Client Case Data

As part of the program, contracted and panel attorneys are required to provide data regarding their cases. This includes countries of origin, demographic data, relationship and dependent information, languages spoken and interpreted, grounds of inadmissibility/deportation (charges), client custody and bonds, employment and family outcomes, substantive case outcomes, and applications for relief. Client outcome data is reported for 2,108 represented clients with cases opened from April 2022 through June 2025. Of these 1,260 cases have been closed. Cases opened between April 2022 and June 2022 are considered part of Fiscal Year 2022-2023 in the charts and tables displaying case data.

Staff continue to standardize data collection and make information gathering easy for program attorneys. However, the program experiences the following limitations:

Data on outcomes is not always complete because it is self-reported by clients. Clients and attorneys often lack access to historical case information, and some clients may be uncomfortable sharing employment or other personal details. Attorneys also have limited time to meet with clients, especially while they are detained, so some outcome information may not be recorded. Clients may leave the program due to a change of venue, DHS involuntary transfer, new legal representation, a removal order, or by discontinuing work with their attorney. Once a client leaves the program, obtaining further information is often difficult or impossible. A small number of data gaps are noted as ‘unknown’ in the tables and figures that follow.

Client Countries of Origin and Demographics

ILDP clients immigrated from 64 countries in five continents in Fiscal Year 2024-2025. Figure 5 below shows the two most common countries of origin: Mexico (24%) and Venezuela (15%).

Country of Origin by Fiscal Year Opened

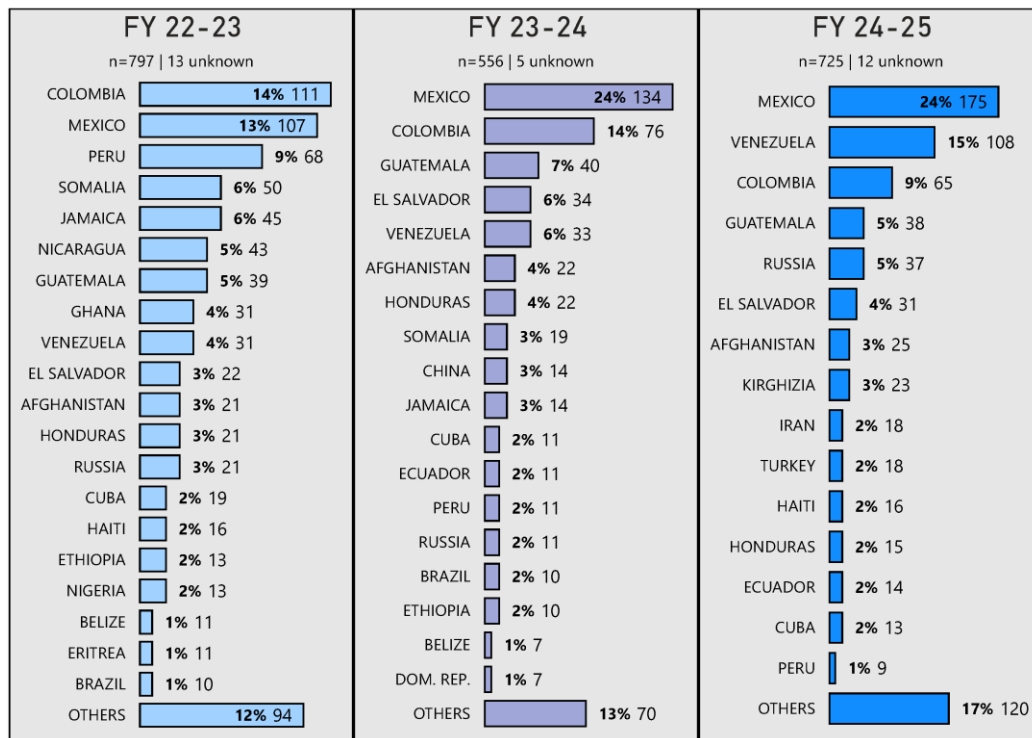


Figure 5. Countries of origin for ILDP clients

Note: These are currently the top countries of origin by clients by the fiscal year their case opened. Countries in the Others category account for less than 1% each. Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Figure 6 shows that 67% of clients entering the program in Fiscal Year 2024–2025 identified as Hispanic or Latino, a steady proportion. The percentage of Black clients declined from 16% to 8% over the past two years.

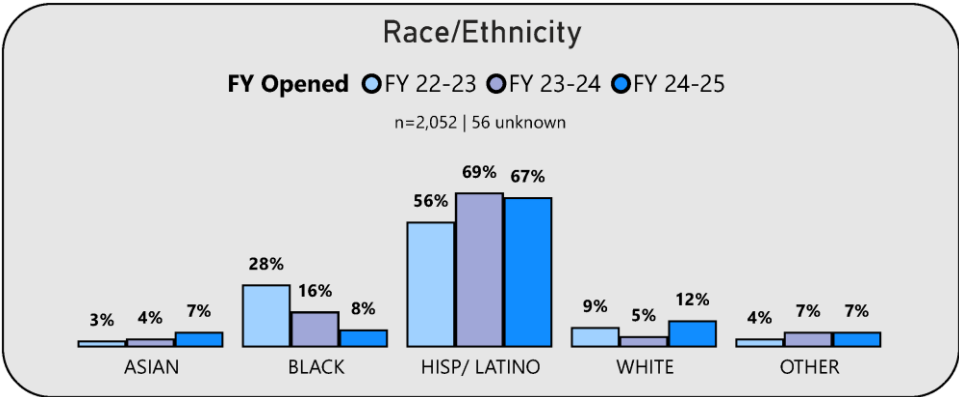


Figure 6. Race/ethnicity of ILDP clients

Note: Other includes American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, Other, and Two or More Races. Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Figure 7 shows that most of the clients entering the program were male at 70% in Fiscal Year 2024-25 and 30% of new clients were female.

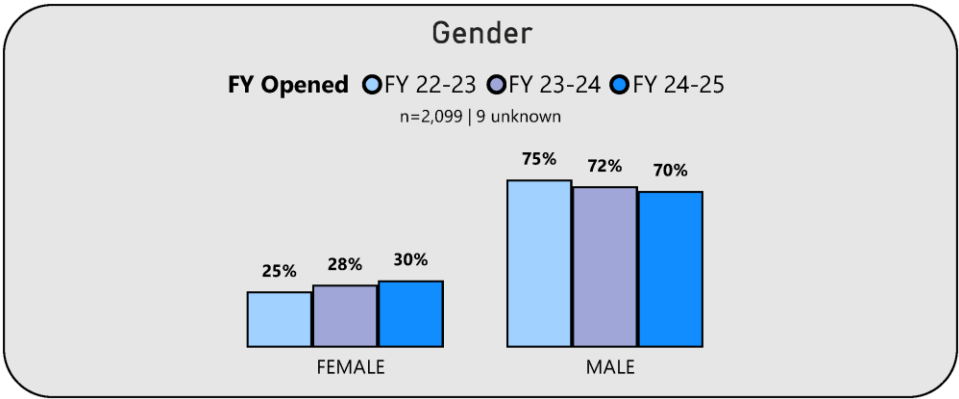


Figure 7. Gender of ILDP clients

Note: Twelve transgender clients have been served by the program, accounting for 0.57% of the program total. Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

As seen in Figure 8, most clients entering the program in Fiscal Year 2024-2025 were between the ages of 22 and 39 (55%). Twenty percent were age 21 or under.

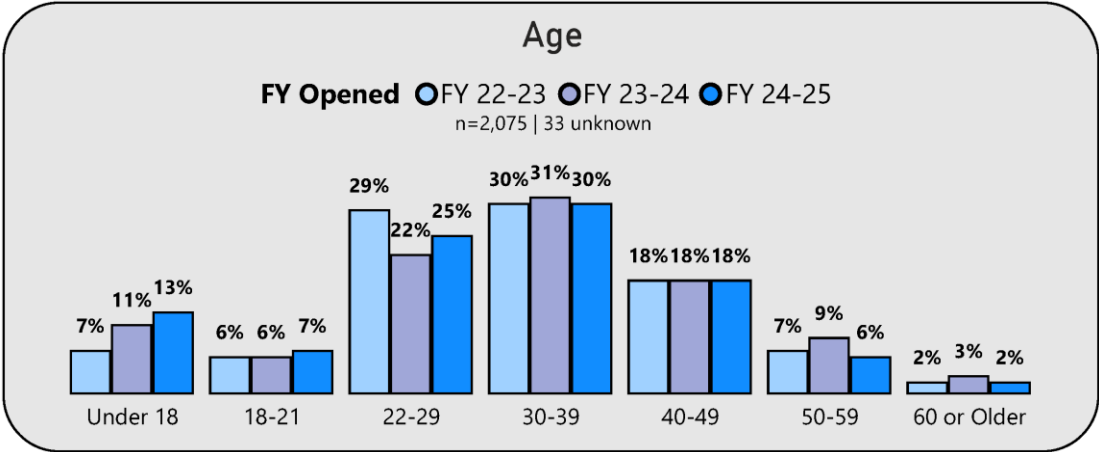


Figure 8. Age of ILDP Clients
Note: A client's age is unknown when a birth date cannot be determined. Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Family Situations

Figure 9 shows most clients utilizing ILDP services were single in Fiscal Year 2024-2025. Seventy percent of clients reported being single, including those divorced, separated, or widowed and 30% reported being married or in a domestic partnership.

As shown in Figure 10, 43% of clients reported having dependents in Fiscal Year 2024-2025. In immigration court, multiple individuals, often immediate family members, can be consolidated into a single case. For this report, we consider each client as a separate case, but asked the attorneys to indicate if a case was consolidated with family member or more than one individual, also called lead rider. Attorneys opened 61 unique lead rider cases in Fiscal Year 2024-2025.

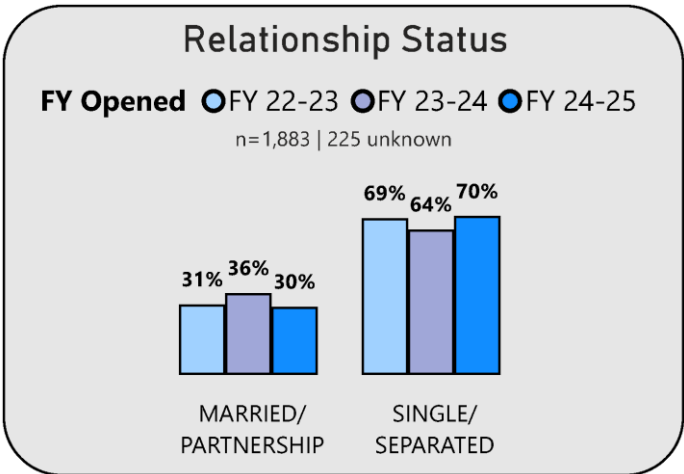


Figure 9. Relationship status of ILDP clients
Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

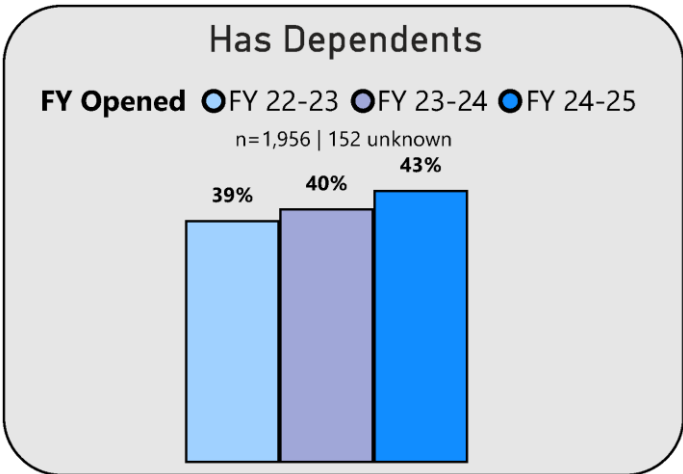


Figure 10. Percentage of ILDP clients with dependents
Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023.

Languages Spoken and Interpreted

Incoming clients spoke 35 languages in Fiscal Year 2024-2025. Figure 11 shows that 64% spoke Spanish as their primary language. The next most common language was Russian, at 8% of clients.

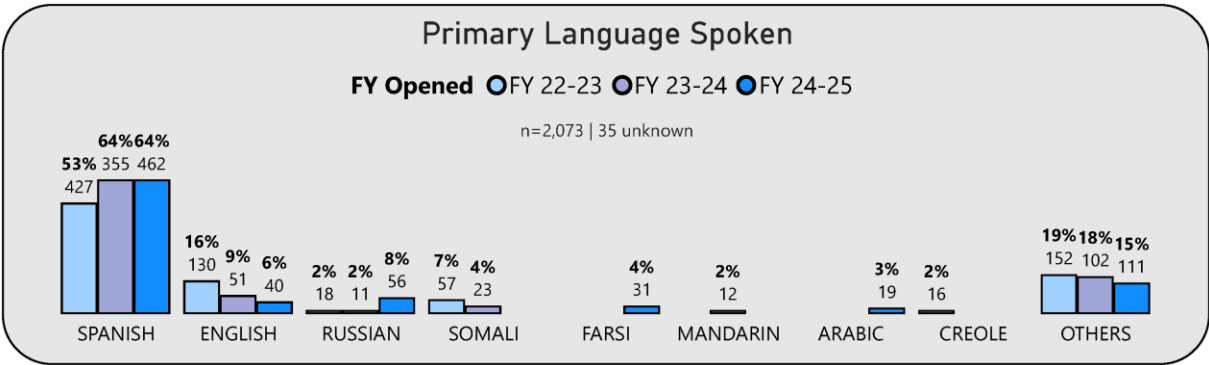


Figure 11. Languages spoken by ILDP clients
Note: These are currently the top languages spoken by clients. Languages in the Others category account for less than 2% each. Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Figure 12 shows the reported distribution of clients having a language interpreted with Spanish being the most common language at 56% in Fiscal Year 2024-2025. Other common interpreted languages included Russian (7%), Farsi (4%), Arabic (2%), and Creole (2%). Clients who did not require interpretation are not shown.

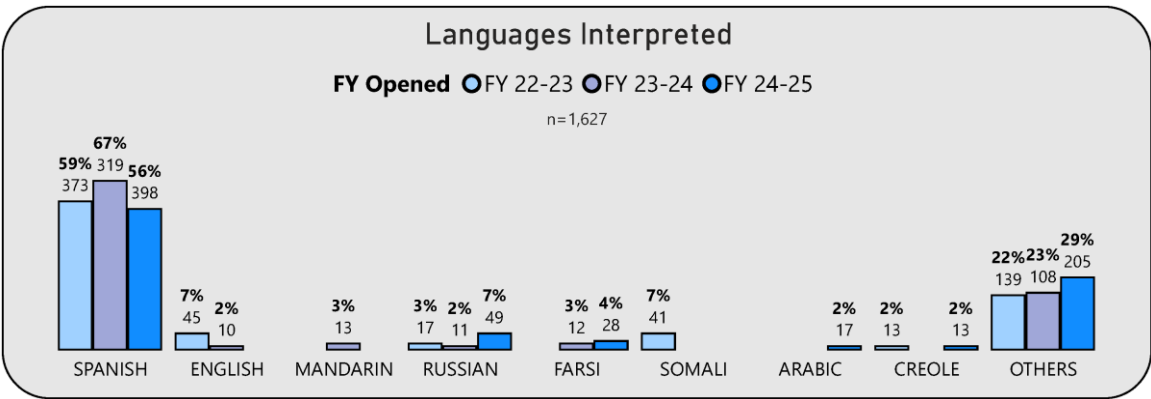


Figure 12. Languages interpreted for ILDP clients
Note: These are currently the top languages interpreted by clients. Languages in the Others category account for less than 2% each. Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Grounds of Inadmissibility or Deportation

Most ILDP clients receive grounds inadmissibility due to illegal entry or entry without possession of valid documents, as listed in their Notice to Appear (NTA), the formal charging document that initiates removal proceedings. Migrants who commit certain crimes may be ineligible to enter or remain in the United States. Table 1 provides a summary of grounds for ILDP clients. Expanded grounds information can be found in Table 4 in the Appendix. Because clients can have multiple grounds listed, Table 1 reflects the percentage of cases in each category, which may exceed the total number of cases.

Table 1. ILDP client grounds of inadmissibility and deportation, April 2022 - June 2025

| Fiscal Year Opened | FY 22-23 | | FY 23-24 | | FY 24-25 | | Total | |
|---|----------|--------------|----------|--------------|----------|--------------|---------|--------------|
| Grounds Group* | Clients | % of Clients | Clients | % of Clients | Clients | % of Clients | Clients | % of Clients |
| 212(a)(6)(A)(i) - Illegal entrants and immigration violators | 487 | 64% | 299 | 60% | 259 | 46% | 1,045 | 57% |
| 212(a)(7)(A)(i) - Not in possession of valid, unexpired documents | 257 | 34% | 190 | 38% | 303 | 54% | 750 | 41% |
| Grounds related to criminal activity | 36 | 5% | 22 | 4% | 7 | 1% | 65 | 4% |
| Other | 51 | 7% | 29 | 6% | 15 | 3% | 95 | 6% |
| Pre-NTA or No Grounds | 62 | 8% | 21 | 4% | 35 | 6% | 118 | 7% |
| Total | 763 | 100% | 496 | 100% | 557 | 100% | 1,816 | 100% |

Notes: Grounds information has not been provided for 292 cases because a client may not have been represented long enough to provide information to their attorney. "Pre-NTA or No Grounds" refers to clients who had not yet received a Notice to Appear (NTA) at the time of data collection or whose grounds had not yet been identified or recorded. Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

One percent (7) of clients entering the program in Fiscal Year 2024-2025 had grounds related to criminal activity. Of those, two cases resulted in a removal order, and four are pending with the clients remaining in detention or supervised via Alternatives to Detention. One case was terminated in immigration court. Please see the definitions section of the Appendix for further information on case outcomes and closure reasons.

Client Custody and Bonds

Most ILDP clients serve time in custody or are subject to monitoring in the community known as Alternatives to Detention. Complete client custody and ATD information is not available for all clients due to gaps in client knowledge, attorney access to information, or the client stops being served by the attorney while detained. Entrance and exit days were known for 88 of 124 clients reported released from detention in Fiscal Year 2024-2025. For these 88 clients, the median length of stay for clients released from custody was 90 days. Figure 13 shows the median days in custody for released clients by the year of their release.

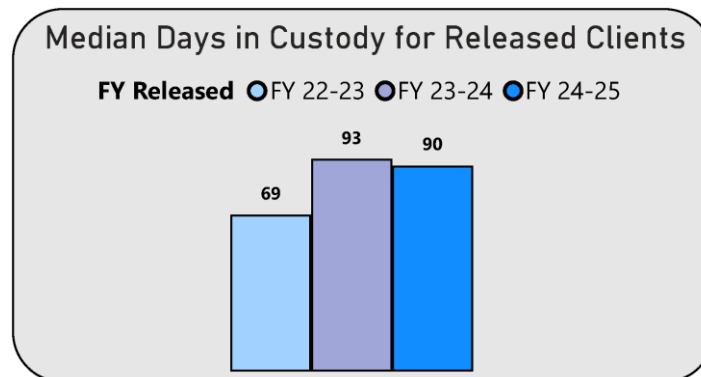


Figure 13. Median days in custody for released ILDP clients

Note: These values are for released clients only. Anyone remaining in custody after the end of the fiscal year is not included. Clients without a release date are also not included; clients released between April 2022 and June 2022 are included in Fiscal Year 2022-2023.

Clients are sometimes granted release from custody on bond while their case is pending. Attorneys reported 14 clients from FY 2024-2025 with bonds greater than zero dollars. The average bond amount was roughly \$5,000, with a range of \$1,500 to \$20,000.

Client detention levels were categorized to understand their custody status during the program. Definitions of each detention category are provided in the Appendix. Figure 14 illustrates these categories in order from most to least restrictive.

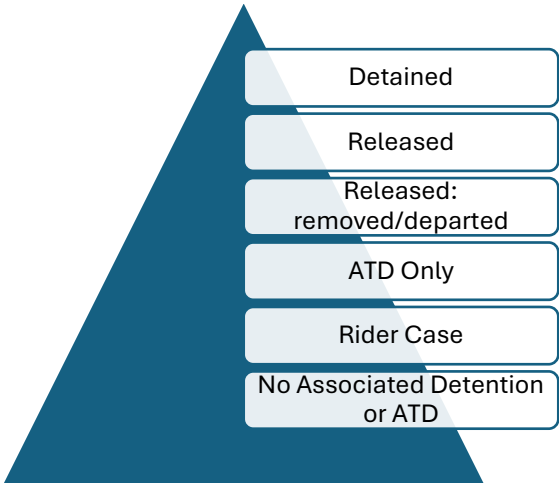


Figure 14. Illustration of the highest detention level from most to least confinement

ILDP attorneys reported on the highest detention level for 2,068 ILDP clients. Data was unavailable for 40 clients. Figure 15 shows the distribution of the highest detention level among clients. Detention rates appear highest for the most recent fiscal year, which may reflect limited time for case progression. For clients with cases opened in Fiscal Year 2024-2025, 14% were released without a removal order, and 59% were classified as detained. This percentage is expected to decline in the next report as more cases progress. The figure also shows an increase in the percentage rider cases from 5% in Fiscal Year 2023-2024 to 12% in Fiscal Year 2024-2025, which correlates with an increase in the percentage of clients under 18 years of age entering the program.

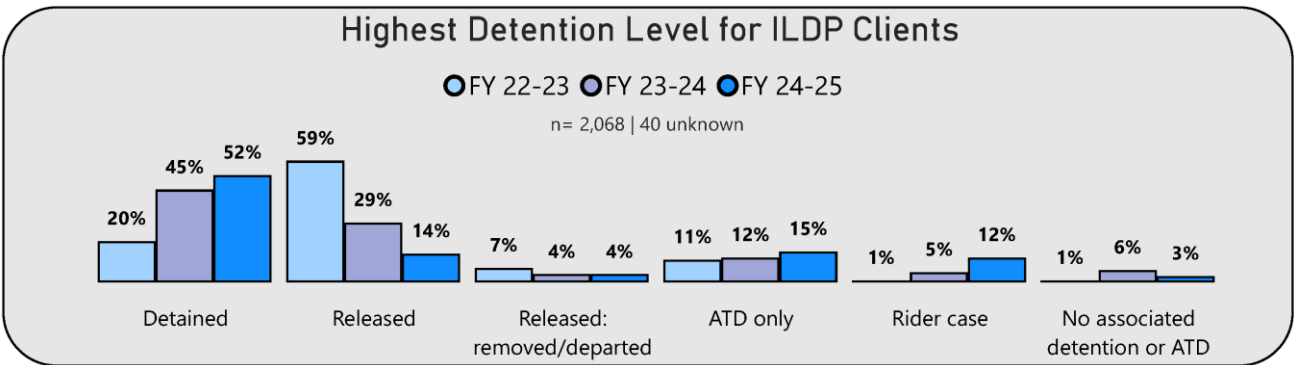


Figure 15. Highest Detention Level for ILDP Clients

Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

ICE Detention Transfers

In April 2024, ILDP attorneys observed an increase in DHS transferring clients to detention facilities outside San Diego County. These transfers often occurred at different stages of the immigration court process, including after attorneys had filed forms notifying DHS of a client's legal representation (G-28 forms). These transfers limited attorneys and defense expert access, creating challenges for case preparation. Some transfers occurred at late stages of the case, just prior to the client’s merits hearing. ILDP has begun tracking attorney-reported transfers. Figure 16 and Figure 17 show 78 reported transfers, most of which were not reported to attorneys prior to transfer. Most transfers were to facilities outside of California.

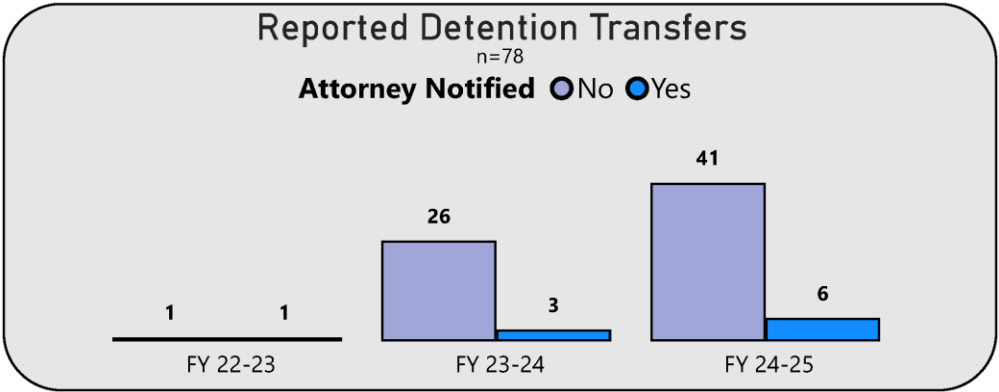


Figure 16. Reported Detention Transfers

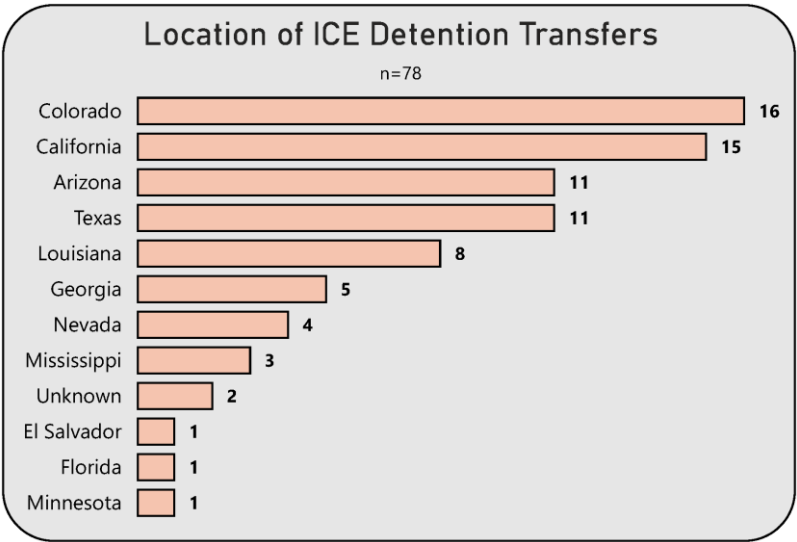


Figure 17. Location of ICE Detention Transfers

Clients Released from or Never Placed in Detention

Among clients who entered the program in Fiscal Year 2024-2025 and spent time in the community, 71% lived with family and 17% reported employment while their case was pending (see Figure 18).

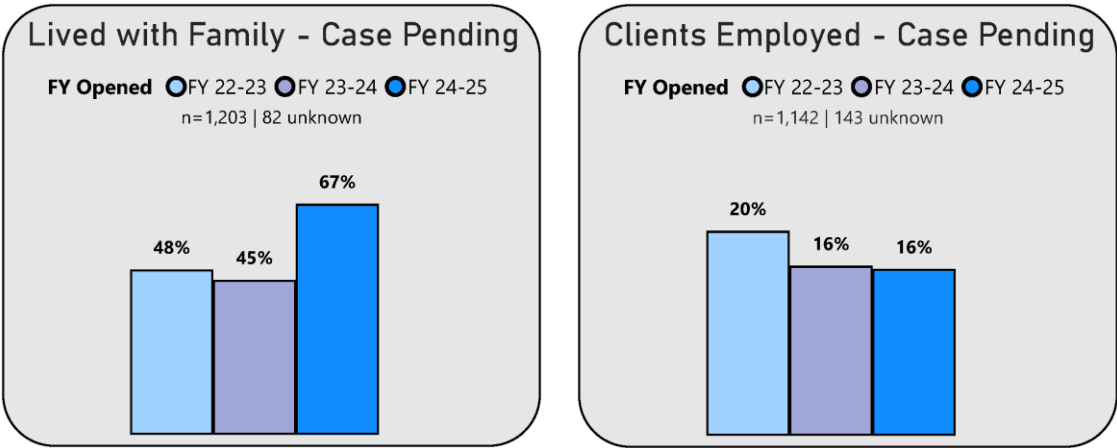


Figure 18. Clients living with family and employed while their case is pending
Note: For this visual, clients from the final three months of FY 21-22 are included in the FY 22-23 values.

Substantive Outcomes and Case Closures

Program cases resolve in numerous ways. Substantive outcomes include situations where relief was granted, or temporary protection allowed someone to remain in the US. Cases can also result in the Immigration Court dismissing grounds or terminating the case, allowing someone to stay in the US. A case can result in an order of removal, voluntary departure, or the withdrawal of application for admission. Many cases have not been resolved yet and remain open or closed without a clear resolution, such as due to a change of venue or other procedural closure. Definitions of each case outcome are provided in the Appendix.

Table 2 summarizes substantive outcomes and closures for cases opened during FY 2024-2025 along with comparison to prior years. In FY 2024-2025, 63% of cases remained open at the end of the fiscal year without a substantive outcome. The table also shows whether cases were continued, offering insight into how continuances can extend case timelines. Fifteen percent of cases were closed without a substantive outcome including attorney withdrawals due to change of venue or other reasons, client request, and clients being ineligible for representation. A substantive outcome occurred in 23% of cases. The most common outcome was an order of removal (7%) and case termination (4%).

Table 2. Pending cases, substantive outcomes, and case closures, April 2022 - June 2025

| Outcome Group | Fiscal Year Opened | FY 22-23 | | FY 23-24 | | FY 24-25 | | Total | |
|---------------------------------|---|----------|------|----------|------|----------|------|---------|------|
| | Outcome | Clients | % | Clients | % | Clients | % | Clients | % |
| Case pending outcome or closure | Case Pending: Continued | 45 | 6% | 60 | 11% | 82 | 11% | 187 | 9% |
| | Case Pending: Not Continued | 83 | 10% | 74 | 13% | 381 | 52% | 538 | 26% |
| | Total | 128 | 16% | 134 | 24% | 463 | 63% | 725 | 34% |
| Substantive outcome | Administrative Closure/ Prosecutorial Discretion | 17 | 2% | 4 | 1% | 2 | 0% | 23 | 1% |
| | Case Dismissed | 49 | 6% | 46 | 8% | 4 | 1% | 99 | 5% |
| | Case Terminated | 55 | 7% | 37 | 7% | 28 | 4% | 120 | 6% |
| | Client Self-Deported | 1 | 0% | 7 | 1% | 14 | 2% | 22 | 1% |
| | Order of Removal | 94 | 12% | 63 | 11% | 54 | 7% | 211 | 10% |
| | Parole | 45 | 6% | 27 | 5% | 14 | 2% | 86 | 4% |
| | Relief Granted | 141 | 17% | 64 | 11% | 25 | 3% | 230 | 11% |
| | Voluntary Departure | 8 | 1% | 10 | 2% | 18 | 2% | 36 | 2% |
| | Withdrawal of Application for Admission | 6 | 1% | 7 | 1% | 7 | 1% | 20 | 1% |
| | Total | 416 | 51% | 265 | 47% | 166 | 23% | 847 | 40% |
| Case closure | AOD/CFI Consult Concluded | 5 | 1% | 2 | 0% | 7 | 1% | 14 | 1% |
| | Attorney Withdrew (Change of Venue) | 169 | 21% | 80 | 14% | 32 | 4% | 281 | 13% |
| | Attorney Withdrew (Other) | 51 | 6% | 17 | 3% | 14 | 2% | 82 | 4% |
| | Client Ended Relationship/ Discontinued Participation | 25 | 3% | 34 | 6% | 35 | 5% | 94 | 4% |
| | Client Released from Custody | 5 | 1% | 8 | 1% | 4 | 1% | 17 | 1% |
| | Ineligible for Representation | 2 | 0% | 16 | 3% | 6 | 1% | 24 | 1% |
| | Negative CFI | 8 | 1% | 3 | 1% | 9 | 1% | 20 | 1% |
| | Other | 1 | 0% | 2 | 0% | 1 | 0% | 4 | 0% |
| | Total | 266 | 33% | 162 | 29% | 108 | 15% | 536 | 25% |
| Total | | 810 | 100% | 561 | 100% | 737 | 100% | 2,108 | 100% |

Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Applications for Relief

Clients may seek relief proactively, in a process distinct from court proceedings initiated by EOIR, based on valid reasons for staying in the US, such as asylum or temporary protected status. When a client and their attorney believe they qualify, they can apply for a relevant form of relief. A client may be eligible for and be granted multiple forms of relief. For cases opened in Fiscal Year 2024-2025, attorneys reported 26 applications granted. Attorneys may not always learn the status of submitted applications if a case closes prior to an outcome or another resolution occurs beforehand. For instance, a person could apply

for asylum but never receive an answer prior to an order of removal. Table 3 breaks down the types of applications granted. Applications for relief are defined in the Appendix.

Table 3. Granted applications for relief, cases opened April 2022 - June 2024

| Fiscal Year Opened | FY 22-23 | | FY 23-24 | | FY 24-25 | | Total | |
|---|-----------------|-------------|-----------------|-------------|-----------------|-------------|----------------|-------------|
| Application | Granted | % | Granted | % | Granted | % | Clients | % |
| Adjustment of Status | 1 | 1% | | 0% | | 0% | 1 | 1% |
| Asylum/Withholding/Convention Against Torture | 46 | 40% | 14 | 29% | 11 | 42% | 71 | 37% |
| Challenge to Arriving Alien Designation | 1 | 1% | | 0% | | 0% | 1 | 1% |
| EOIR 42A Legal Permanent Resident Cancellation of Removal | 2 | 2% | | 0% | | 0% | 2 | 1% |
| EOIR 42B Non-Legal Permanent Resident Cancellation of Removal | 1 | 1% | 1 | 2% | | 0% | 2 | 1% |
| I 130 Petition for Alien Relative | 2 | 2% | 1 | 2% | | 0% | 3 | 2% |
| Parole | 60 | 52% | 30 | 63% | 14 | 54% | 104 | 55% |
| Special Immigrant Juvenile Status (SIJS) | 1 | 1% | 3 | 6% | | 0% | 4 | 2% |
| TPS | 3 | 3% | | 0% | | 0% | 3 | 2% |
| Withholding Only | 2 | 2% | | 0% | 1 | 4% | 3 | 2% |
| Total | 116 | 100% | 48 | 100% | 26 | 100% | 190 | 100% |

Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

Executive Office for Immigrant Review (EOIR) Data

EOIR releases data from their case management system to the public with monthly updates (Executive Office for Immigration Review 2025). Figure 19 displays EOIR data for individuals with proceedings at San Diego or Otay Mesa Immigration Court between July 2021 and June 2025, compared by County of San Diego fiscal year. In Fiscal Year 2024-2025, 32% of individuals were detained or released from detention. This is an increase from 25% in Fiscal Year 2023-2024.

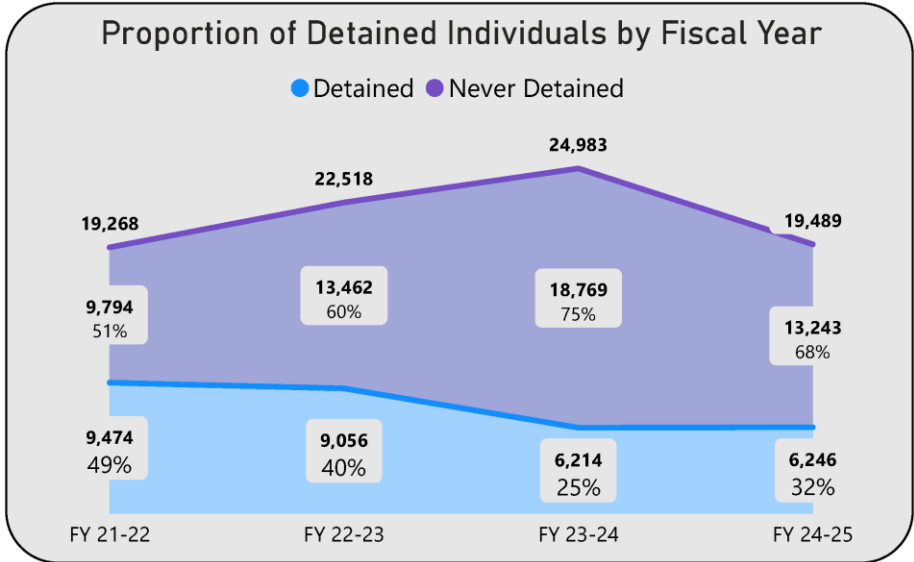


Figure 19. Detained individuals involved in immigration proceedings in San Diego County

Most clients represented by ILDP attorneys begin their proceedings at Otay Mesa Immigration Court while detained at Otay Mesa Detention Facility (OMDF). Representation rates at Otay Mesa Immigration Court have increased annually. Figure 20 shows 41% of detained clients were represented in Fiscal Year 2024-2025, an increase from 26% in Fiscal Year 2023-2024.

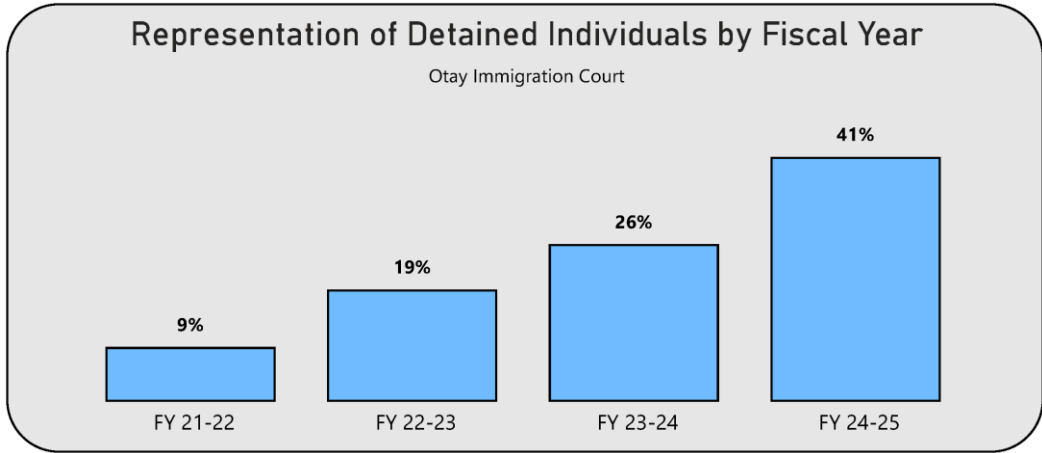


Figure 20. Percentage of individuals with representation, Otay Immigration Court

Program Costs

Total program costs since ILDP was established are \$10.5 million. For Fiscal Year 2024-2025 program costs were nearly \$6.1 million, including approximately \$244 thousand in County staff costs. This total includes approximately \$1.1 million in invoices for services attributable to prior fiscal years that were paid during Fiscal Year 2024-2025. Therefore, actual program costs for services rendered within the fiscal year are approximately \$5 million.

The average cost per case closed in Fiscal Year 2024-2025 was roughly \$6,300. Costs varied depending on case progression. For instance:

- Appeal cases closed with an average cost of roughly \$18,600.
- Cases closed after trial cost an average of roughly \$10,200.
- Cases that included a change of jurisdiction cost an average of roughly \$3,400.

Remaining unspent program funds to be carried over into Fiscal Year 2025-2026 is approximately \$4.6 million.

Success Stories

We conclude our report with five success stories submitted by the ILDP attorneys. These stories illustrate the possible successes attorneys can achieve even under difficult circumstances. The stories further provide context to the outputs and outcomes described earlier in the report.

Success Story 1

A client fled political persecution, entered the U.S. and was immediately detained. Her children were placed in foster care. Within days of case assignment, she was released and reunited with her children who were released from foster care. The attorney then had her case moved near her new residence outside of San Diego. Migrants often request a change of venue for their cases so they may live closer to family or take advantage of employment opportunities that are not available in San Diego.

Success Story 2

A client was fleeing domestic violence from her husband and failure of authorities to protect her. After months of detention, her case was assigned to an attorney. The attorney obtained her parole from custody within days. She is now living outside of California where she can continue to seek relief from removal.

Success Story 3

A justice-involved juvenile immigrant was sentenced to California Division of Juvenile Justice (DJJ) and eventually placed into custody at Otay Mesa Detention Center. The attorney obtained his release from mandatory detention by arguing he fell into a juvenile offender exception to mandatory detention. DHS appealed, but his removal case was ultimately dismissed, allowing him to apply for relief from removal.

Success Story 4

A client provided testimony about severe persecution by his government's military, rooted in his political, moral, and religious beliefs, distinguishing his case from allegations of desertion. Evidence included documentation of the country's dictatorship and human rights violations, such as indefinite military conscription described as slavery. The client testified about being selected for deployment in an unjust war, refusing to participate, and fleeing to another country, where he was robbed by smugglers in Mexico before reaching the U.S. border. The Court admitted 29 exhibits, including substantial corroborating documents, and found the client had not secured asylum or lawful status in any third country, preserving his eligibility for relief. The client also testified in vivid detail about torture during an earlier escape attempt. The client's honest demeanor was crucial in receiving withholding of removal, which provides more limited benefits than asylum, but allows him to remain safely in the United States.

Success Story 5

An indigenous client was exiled from his country as a minor and brought to the U.S. by his father to escape criminal groups targeting their land. After his father's death, the client returned to care for his mother, married, and had a child. Facing threats of violence, he fled to the U.S. with his pregnant wife and daughter. Despite not self-identifying as indigenous, the client's birthright to land ownership marked him as such, making him a target. The client's ILDP attorney gathered evidence to support the client's claim, linking the threats to his indigenous status, and addressed his criminal background and multiple entries without inspection.

During court proceedings, the DHS attorney agreed not to contest the evidence or the client's credibility, leading to the immigration judge granting asylum to the client and his family. This decision was crucial in ensuring their safety and the client expressed immense relief and gratitude for the outcome. The case highlights the complexities faced by asylum seekers and the importance of dedicated legal representation in navigating these challenges.

References

- Executive Office for Immigration Review. 2025. "EOIR Case Data." *FOIA Library*. July 1. Accessed July 10, 2025. <https://files.share.eoir.justice.gov/FOIA-TRAC-Report.zip>.
- Ingrid Eagly, Esq. and Steven Shafer, Esq. 2016. *Access to Counsel in Immigration Courts*. Washington, D.C.: American Immigration Council.
- Jennifer Stave, Peter Markowitz, Karen Berberich, Tammy Cho, Danny Dubbaneh, Laura Simich, Nina Siulc, and Noelle Smart. 2017. *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.

Appendix

A. Definitions

Detention Level

Detained – Client is currently detained, was detained at the time of reporting, or was detained when the case was closed.

Released from detention – Client is reported released from detention.

Released and removed/departed - Client was reported as released from detention but also was ordered removed or agreed to depart the country.

ATD only – Client was placed on Alternatives to Detention (ATD) without spending time in custody.

Rider case – Client was not detained but was served by the program because they were part of a consolidated case.

No associated detention or ATD – Client was never detained or placed on ATD but was served ILDP attorneys.

Case Outcomes

Administrative Closure – Cases in which an Immigration Court judge decides not to deport the individual for other unspecified reasons or closes the case administratively or because of the failure of the government to prosecute the case.

Case Dismissed – Cases in which the government declines to pursue grounds against an individual in removal proceedings.

Case Terminated – Cases in which an Immigration Court judge finds the grounds against the individual are not sustained and “terminates” the case. Situations where the alien has established eligibility for naturalization can be grounds for termination.

Order of Removal – Cases in which an Immigration Court judge sustains the grounds against the individual and issues a removal order. The term “removal” is used in a generic sense and includes orders of deportation, exclusion, etc. A removal order bars the individual from returning to the US for a period of years, or in some cases permanently.

Relief Granted – Cases in which an Immigration Court judge finds the original grounds are sustained but finds provisions in the immigration law entitle the individual to “relief” from removal, allowing them to remain in this country. This is also used when an application is successful.

Voluntary Departure – Cases in which an Immigration Court judge sustains the grounds against the individual and issues an order of voluntary departure. A so-called “voluntary departure” is when the individual is required to leave the country but is not legally barred from returning.

Withdrawal of Application for Admission – An option that DHS might offer to an Arriving Alien whereby the alien chooses to withdraw his or her application to enter the United States and immediately departs the United States (or pre-clearance port of entry). Unlike an order of removal (including expedited removal

as well as orders obtained because of removal proceedings), a withdrawal of application for admission does not create a bar to future entry.

Closure Reasons

Attorney Withdrew (Change of Venue) – The case has been relocated outside of the San Diego region.

Attorney Withdrew (Other) – The attorney withdrew from the case for some other reason than a change of venue.

Closed - Client Request – The client requested to discontinue being represented by the attorney.

Closed - Ineligible for Representation – The client was deemed ineligible for the program.

Applications for Relief

Asylum/Withholding/Convention Against Torture – three forms of relief from removal or deportation for people who are afraid to return to their home countries.

Adjustment of Status - Adjustment of status is the process that people can use to apply for lawful permanent resident status (also known as applying for a Green Card) when they are present in the United States. This means that they may get a Green Card without having to return to their home country to complete visa processing.

Cancellation of Removal for Permanent Residents and Non-Permanent Residents – permanent residents and non-permanent residents may apply to an immigration judge to adjust their status from that of deportable alien to one lawfully admitted for permanent residence, provided certain conditions are met.

Cancellation of Removal Special Rule – cancellation of removal for non-lawful permanent resident (LPR) spouses or children of US citizens or LPRs who were subject to battery or extreme cruelty by a spouse or parent.

Parole for Humanitarian or Significant Public Benefit - Parole allows an individual, who may be inadmissible or otherwise ineligible for admission into the United States, to be paroled into the United States for a temporary period. An individual who is paroled into the United States has not been formally admitted into the United States for purposes of immigration law.

Special Immigrant Juvenile Status (SIJS) – If a person is in the United States and needs the protection of a juvenile court because they have been abused, abandoned, or neglected by a parent, they may be eligible for Special Immigrant Juvenile (SIJ) classification. If SIJ classification is granted, they may qualify for lawful permanent residency (also known as getting a Green Card).

Temporary Protected Status (TPS) – The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS.

U Visa – The U nonimmigrant status (U visa) is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.

Withholding Only - When someone expresses a fear of persecution to an immigration officer who is considering reinstating a prior order of removal, the officer is required to first refer the individual to an asylum officer. Individuals who can demonstrate to the asylum officer that they have a “reasonable fear” of persecution in their home country are sent to immigration court for a special form of removal proceedings. These proceedings are known as “withholding-only” proceedings, because the only protection that individuals may seek is withholding of removal or protection under the Convention Against Torture.

Other Definitions

Credible Fear Interview - A brief interview, conducted by a USCIS Asylum Officer, for non-citizens arriving in the U.S. with false or no documents, subject to Expedited Removal, who express fear of persecution or wish to apply for asylum. A successful outcome grants the non-citizen a full asylum hearing before an Immigration Judge.

Aggravated Felony - An aggravated felony may be either a felony or misdemeanor charge and includes: Murder, Rape, or Sexual Abuse of a Minor; Illicit Trafficking in Controlled Substance; Illicit Trafficking in Firearms or Destructive Devices; Money Laundering Offenses (over \$10,000); Explosive Materials and Firearms Offenses; Crime of Violence; Theft Offense; Demand for or Receipt of Ransom; Child Pornography Offense; Racketeering, Gambling; Prostitution Offenses (managing, transporting, trafficking); Gathering or Transmitting Classified Information; Fraud or Deceit Offenses or Tax Evasion (over \$10,000); Alien Smuggling; Illegal Entry or Reentry by Removed Aggravated Felon; Passport, Document Fraud; Failure to Appear Sentence; Bribery, Counterfeiting, Forgery, or Trafficking in Vehicles; Obstruction of Justice, Perjury, Bribery of Witness; Failure to Appear to Court; Attempt or Conspiracy to Commit an Aggravated Felony.

B. Expanded Grounds Table*Table 4. Expanded table of known grounds for ILDP clients since program inception.*

| Fiscal Year Opened | FY 22-23 | | FY 23-24 | | FY 24-25 | | Total | |
|---|-----------------|----------|-----------------|----------|-----------------|----------|----------------|------------|
| Grounds of Inadmissibility | Clients | % | Clients | % | Clients | % | Clients | % |
| 212(a)(6)(A)(i) - Illegal entrants and immigration violators | 487 | 64% | 299 | 60% | 259 | 46% | 1,045 | 58% |
| 212(a)(7)(A)(i) - Not in possession of valid, unexpired documents | 257 | 34% | 190 | 38% | 303 | 54% | 750 | 41% |
| Grounds related to criminal activity | 36 | 5% | 22 | 4% | 7 | 1% | 65 | 4% |
| 212 (a)(2)(A)(i)(II) - Controlled Substance Offenses | 3 | 0% | 2 | 0% | 0 | 0% | 5 | 0% |
| 212(a)(2)(A)(i)(I) - Crime Involving Moral Turpitude | 6 | 1% | 7 | 1% | 1 | 0% | 14 | 1% |
| 212(a)(2)(B) - Multiple Criminal Convictions | 2 | 0% | 0 | 0% | 1 | 0% | 3 | 0% |
| 212(a)(2)(C) - Trafficking Controlled Substances | 8 | 1% | 2 | 0% | 0 | 0% | 10 | 1% |
| 212(a)(2)(D)(i) - Prostitution | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| 212(a)(2)(I) - Money laundering | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| 237(a)(2)(A)(i) - CIMT w/in 5 years of admission | 0 | 0% | 1 | 0% | 0 | 0% | 1 | 0% |
| 237(a)(2)(A)(ii) - Two CIMTs | 3 | 0% | 0 | 0% | 0 | 0% | 3 | 0% |
| 237(a)(2)(A)(iii) - Convicted of an aggravated felony | 14 | 2% | 9 | 2% | 5 | 1% | 28 | 2% |
| 237(a)(2)(B)(i) - Controlled substance conviction | 4 | 1% | 2 | 0% | 2 | 0% | 8 | 0% |
| 237(a)(2)(E)(i) - Crimes of domestic violence, stalking, and child abuse | 0 | 0% | 1 | 0% | 0 | 0% | 1 | 0% |
| 237(a)(2)(F) - Trafficking | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| Other | 51 | 7% | 29 | 6% | 15 | 3% | 95 | 5% |
| 212(a)(6)(C)(i) - Misrepresentation | 1 | 0% | 0 | 0% | 1 | 0% | 2 | 0% |
| 212(a)(6)(C)(ii)(I) - False claim to U.S. citizenship | 3 | 0% | 2 | 0% | 0 | 0 | 5 | 0% |
| 212(a)(6)(E)(i) - Alien smugglers | 5 | 1% | 0 | 0% | 2 | 0% | 7 | 0% |
| 212(a)(7)(B)(i)(I) - Not in possession of valid entry documents, such as visa | 8 | 1% | 5 | 1% | 2 | 0% | 15 | 1% |

| Fiscal Year Opened | FY 22-23 | | FY 23-24 | | FY 24-25 | | Total | |
|--|------------|-------------|------------|-------------|------------|-------------|--------------|-------------|
| Grounds of Inadmissibility | Clients | % | Clients | % | Clients | % | Clients | % |
| 212(a)(9) - Aliens previously removed or unlawfully present | 6 | 1% | 3 | 1% | 2 | 0% | 11 | 1% |
| 237(a)(1)(A) - Inadmissible at time of entry or adjustment of status | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| 237(a)(1)(B) - Present in violation of law | 7 | 1% | 1 | 0% | 4 | 1% | 12 | 1% |
| 237(a)(1)(C)(i) - Violated nonimmigrant status | 2 | 0% | 1 | 0% | 0 | 0% | 3 | 0% |
| 237(a)(1)(E)(i) - Alien smuggling | 2 | 0% | 0 | 0% | 0 | 0% | 2 | 0% |
| 237(a)(5) - Public Charge | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| 241(a)(5) - Reinstatement of removal order | 13 | 2% | 14 | 3% | 4 | 1% | 31 | 2% |
| 241(b)(3) - Denial of Withholding of Removal | 5 | 1% | 3 | 1% | 0 | 0% | 8 | 0% |
| Pre-NTA or No Charge | 62 | 8% | 21 | 4% | 35 | 6% | 118 | 6% |
| Total | 763 | 100% | 496 | 100% | 557 | 100% | 1,816 | 100% |

Grounds information has not been provided for 292 cases because a client may not have been represented long enough to provide information to their attorney. *Total clients from each category adds up to more than the total clients because clients can have grounds in more than one category. "Pre-NTA or No Grounds" refers to clients who had not yet received a Notice to Appear (NTA) at the time of data collection or whose grounds had not yet been identified or recorded.

Note: Cases opened between April 2022 and June 2022 are included in Fiscal Year 2022-2023. Percentages may not total 100 due to rounding.

C. Program Context and Process Summaries

Immigration Legal Process Overview

Immigration removal proceedings are conducted by the US Department of Justice's Executive Office for Immigration Review (EOIR). The US Department of Homeland Security (DHS) alleges a migrant (respondent) violated immigration laws, and EOIR decides whether the respondent is removable from the country or if they qualify for relief from removal.

A typical experience will include the following steps, and ILDP attorneys can become involved at any point during the process:

- DHS serves a respondent with a **Notice to Appear (NTA)** and files it with EOIR. The NTA includes information on grounds of removability and initial hearing information.
- An EOIR judge holds an initial hearing called a **master calendar hearing** where the judge explains the respondent's rights, addresses allegations, and addresses representation. Like an arraignment in criminal court, the respondent may plead to the allegations and indicate whether they wish to apply for protection or relief from removal.
- The master calendar hearing judge schedules an **individual merits hearing/trial** where the respondent and DHS will present their case to the court. At the conclusion a judge may grant relief from removal or issue an order of removal.

- Both DHS and the respondent have 30 days to request an appeal from the **Board of Immigration Appeals (BIA)** following a merits hearing. The respondent can appeal BIA decisions to the Federal Fourth District Court of Appeals.
- During or prior to any of the steps above, DHS may detain an individual through Immigration and Customs Enforcement (ICE). ILDP attorneys assist clients in securing release from detention via bond, release on their own recognizance, or parole.

ILDP Intake and Case Assignment Process

The Office of Assigned Counsel (OAC) operates a public intake telephone line, including a direct speed-dial line from Otay Mesa Detention Center (OMDC). Public Defender's Office employees provide the initial intake for clients.

Steps in the case assignment process:

- Intake coordinators collect as much information as they can for each client.
- Intake information is sent to the head of OAC/Program Legal Coordinator for review.
- If custodial eligible, cases with upcoming dates are prioritized and all cases are assigned within a week.
- Attorneys are offered the case and receive brief case information.
- Once the attorney accepts the case it is assigned.
- If the attorney is unable to accept the case, it is offered to another attorney.

Detention Level Category Reference

For descriptions of detention categories used in Figure 14 and Figure 15, see **Appendix A: Definitions – Detention Level**.

Case Outcome Definitions Reference

For definitions of all case outcomes referenced in Table 3, see **Appendix A: Definitions – Case Outcomes**.