

Immigration Court Legal Access Programs: Terminations and Related Litigation

July 28, 2025

Immigration courts within the Department of Justice’s (DOJ’s) Executive Office for Immigration Review (EOIR) are responsible for adjudicating proceedings to determine whether an [alien](#) (referred to as the *respondent*) may be removed from the United States. During these removal proceedings, respondents have the right to certain [procedural protections found in the Immigration and Nationality Act](#), including “the privilege of being represented, at no expense to the Government, by counsel of the alien’s choosing who is authorized to practice in such proceedings.” That is, respondents may obtain counsel, either at their own expense or by obtaining the services of the pro bono bar, but the federal government generally may not fund or appoint counsel.

Many respondents [do not have representation](#) in removal proceedings. [Beginning with pilot programs in detention facilities in the 1990s](#), EOIR has funded [programs that offer legal orientations and other services](#) to unrepresented respondents to improve efficiency in removal proceedings. Congress has appropriated funds for such programs [since the early 2000s](#). In FY2024, Congress appropriated \$28 million to the Legal Orientation Program. A full-year continuing resolution for FY2025 (P.L. 119-4) continued to fund EOIR at FY2024 levels and subject to the same conditions.

Until recently, EOIR’s Office of Legal Access Programs (OLAP) offered several initiatives that facilitated access to legal information and referrals, and these initiatives were administered by a contracted organization—most recently, the [Acacia Center for Justice](#) (Acacia)—that subcontracted with nonprofit legal service providers. Programs included the following:

- Legal Orientation Program (LOP), established in 2003, which provided legal orientation and workshops and pro bono referrals for adults in immigration detention facilities;
- Legal Orientation Program for Custodians (LOPC), established in 2010, which provided legal orientation for the adult caregivers of [unaccompanied alien children](#) (UAC) in removal proceedings;
- Immigration Court Helpdesk (ICH), established in 2016, which provided legal orientations, workshops, pro bono referrals, and [friend of the court services](#) to non-detained respondents;

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- Counsel for Children Initiative (CCI), established in 2021, which provided representation for certain UAC;
- Family Group Legal Orientation Program (FGLOP) for certain families, established in 2021;
- Legal Access Services for Reunified Families (LASRF) Program for individuals covered as class members and qualifying additional family members under a [settlement agreement](#) reached in 2023 in *Ms. L v. ICE*, a class action suit involving a legal challenge relating to the separation of alien parents and children at the Southwest border; and
- the National Qualified Representative Program (NQRP), established in 2013, which provided representation to detained individuals who were found by an immigration judge or the Board of Immigration Appeals (EOIR’s appellate body) to be incompetent to represent themselves in proceedings. The program followed a court order entered by a U.S. district court judge in *Franco-Gonzalez v. Holder*, after finding that, under Section 504 of the Rehabilitation Act (P.L. 93-112), individuals with serious mental disorders are entitled to a qualified representative as a reasonable accommodation during removal proceedings. Although the *Franco* order applied to a limited certified class, EOIR implemented NQRP as a nationwide program.

Acacia [reported](#) that in January 2025, DOJ issued a stop work order pausing the LOP, ICH, FGLOP, and CCI. The order followed Executive Order 14159, “Protecting the American People Against Invasion.” [Section 19](#) of the order directs the Attorney General and Secretary of Homeland Security to review contracts and grants that provide federal funding to nongovernmental organizations that provide services to “removable or illegal aliens,” “pause distribution of all further funds” under review, terminate agreements and prohibit future agreements “determined to be in violation of law or to be sources of waste, fraud, or abuse,” and ensure that such funding is not included in appropriations requests.

In January 2025, a group of legal services providers [filed suit](#) in the U.S. District Court for the District of Columbia seeking to block DOJ from terminating the programs, and it was reported that DOJ [rescinded the stop work order](#) in early February 2025. On April 3, 2025, DOJ sent Acacia a Notice of Termination for Convenience terminating contracts associated with LOP, FGLOP, LOPC, CCI, ICH, NQRP, and LASRF, stating that such services were “no longer needed” and should be discontinued. On April 10, Acacia received notice from DOJ that it was terminating task orders for FGLOP, CCI, ICH, LOP, and LOPC, effective April 16. DOJ cited [Federal Acquisition Regulations](#) that permit the government to terminate government contracted work when the “termination is in the Government’s interest.” The court issued a [judgment](#) in favor of DOJ on July 6, 2025, concluding, in part, that the court lacked jurisdiction to review the plaintiffs’ claims, and otherwise rejecting their claims on the merits. The legal service providers are appealing the ruling.

DOJ also limited the scope of the NQRP. On April 25, 2025, DOJ submitted to Acacia a revised Statement of Work stating that NQRP is “limited to class members covered by *Franco*,” ending its designation as a nationwide program. Legal services organizations [filed suit](#) in the U.S. District Court for the District of Columbia and sought a preliminary injunction asking the court to prohibit the termination of the NQRP nationwide. DOJ [moved to dismiss](#), arguing that the court lacks jurisdiction to review the plaintiffs’ claims. On July 21, 2025, the district court judge [granted](#) plaintiff’s request for preliminary relief, blocking DOJ from terminating the program.

Additionally, on June 10, 2025, following DOJ’s termination of its contract with Acacia for legal access services under the LASRF program, the U.S. District Court for the Southern District of California in the *Ms. L v. ICE* litigation mentioned above [granted](#) the plaintiffs’ motion to enforce the class action settlement agreement in that case, which requires the provision of legal access services to class members.

In DOJ's [FY2026 budget request](#), EOIR has requested that Congress remove statutory language regarding LOP funding in its appropriation. Its former OLAP website has been replaced by a [Public Resources Program](#) website, which includes information about NQRP and LASRF.

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