



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

File #: 22-1161, Version: 1

PROPOSED RESOLUTION

RESOLUTION AUTHORIZING THE LAW OFFICE OF THE COOK COUNTY PUBLIC DEFENDER TO IMPLEMENT PUBLIC ACT 102-0410

WHEREAS, the Law Office of the Cook County Public Defender has a mission to protect the fundamental rights, liberties, and dignity of each person whose case has been entrusted to it by providing the finest legal representation to individuals appearing before the Circuit Court of Cook County; and

WHEREAS, over the past two years the Cook County Board of Commissioners (Board) and the Cook County President (President) have shown support for the Law Office of the Cook County Public Defender to launch an Immigration Unit Pilot to ensure that its noncitizen clients are advised of and protected against negative immigration consequences resulting from their pending criminal and civil matters (Padilla advisals) and to provide representation in immigration removal cases arising before the Chicago Immigration Court; and

WHEREAS, in September 2020, with budget allocations presented by the President and approved by the Board, along with a matching grant, the Immigration Unit Pilot was launched; and

WHEREAS, the Law Office of the Cook County Public Defender (CCPD) has begun internal Padilla advisals, hired staff skilled in immigration removal defense, and is now equipped to provide representation to noncitizens appearing before the Chicago Immigration Court, located within Cook County; and

WHEREAS, CCPD, with its expertise in defending the constitutional rights of its clients and its history of providing zealous representation to indigent clients, is uniquely qualified to represent indigent noncitizens who are otherwise unable to obtain counsel, including those with criminal backgrounds and those who are incarcerated; and

WHEREAS, Public Act 102-0410, signed into law by Illinois Governor JB Pritzker on August 19, 2021, authorizes public defender offices in counties with over three million residents and with the county board's concurrence, to represent noncitizens in immigration cases arising within an immigration court located within the county, effective January 1, 2022.

NOW, THERE BE IT RESOLVED, that the Board concurs with CCPD's plan to represent noncitizens whose cases arise before the Chicago Immigration Court in their immigration cases; and

BE IT FURTHER RESOLVED, that the Board recognizes that CCPD has limited resources within its Immigration Unit Pilot and authorizes CCPD to use its discretion to determine which immigration cases, within the parameters of Public Act 102-0410, are suitable for representation; and

BE IT FURTHER RESOLVED, that a suitable copy of this resolution be tendered to the Law Office of the Cook County Public Defender as a means of communicating our concurrence and support of CCPD's plans to provide immigration removal defense as authorized by Public Act 102-0410.