

Florida courts prepare fast-track hearings for immigrant children

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Florida immigration courts are seeking to establish special “dockets” to speed up the process of hearing the cases of thousands of immigrant children who have recently arrived in the state. The courts have been inundated by the large number of cases related to the entry of children into the United States from Central and South America over the past several weeks. Such expedited hearings severely weaken the ability of these children to obtain adequate legal representation and to argue that they should be allowed to remain in the US.

A law signed by President George W. Bush in 2008 holds that unaccompanied minors from these countries may not be deported without first having the opportunity to convince a judge that they face danger should they be returned to their homelands.

Federal officials have reported that out of the 57,000 unaccompanied minors who have been apprehended crossing the Mexico-United States border since October, more than 3,000 have come to Florida, where many of their families live. A large number of these children have been allowed to temporarily settle with their families or other sponsors.

Depending on the location of these children, they must face one of five immigration judges in Miami or Orlando. Last Friday, one of the Miami judges saw 25 of the children as part of what has been dubbed a “rocket docket,” where the decision is expedited and the children are not adequately represented. Only three of the 25 children had obtained legal representation when they stood before the judge.

Lesley Mendoza, a lawyer who represented one of the three children, criticized this system by explaining, “The rest were expected to appear by themselves. Without speaking the language, without any knowledge and limited education, they are expected to navigate the legal system on their own. That’s just wrong.”

Mendoza continued, “By expediting hearings and not giving them time to find an attorney, many who do have a legal right will be sent back. Being sent back for some of these kids means continuing to get raped on their way to school. For the boys, it means doing whatever a gang asks them to do, or being killed.”

The situation is similarly dire in Orlando, where legal aid attorneys are desperately searching for volunteers to represent the large numbers of children. Camila Pachon Silva, one such attorney, explained to reporters that “a lot of children are appearing before immigration judges alone, without any legal counseling.”

Silva also stated that while such cases are not a new phenomenon, the recent numbers of such cases has skyrocketed. The numbers have increased due to the deprived conditions in countries like Honduras, where children are confronted with rampant drug trafficking and violent gang activity. Florida, which has the largest Honduran community in the US, has become a destination for many of the children who escape these conditions.

Jeffrey Brauwerman, a former immigration judge, has sought to deflect criticism by claiming that judges can still be fair while pushing through cases at higher speeds. “By having a special docket, you can move these cases, hopefully without stepping on anybody’s rights,” he stated. “I think the judges will be pretty fair-minded. The key thing is to unclog the docket.” Such an outlook reveals a disdain for the safety and the very lives of these children.

As children who have reached the US unaccompanied wait to be resettled, the sponsors who have provided shelter have been attacked by right-wing politicians and community groups. Their bogus arguments against providing such shelter include the concern that harboring these immigrants will encourage even more

illegal migrations and use up valuable resources that should only be made available to “Americans.”

The Gulf Coast Jewish Family and Community Services center in Clearwater, Florida, which has housed approximately 16 of these children, was forced to repay \$167,000 in grant money based on a legal technicality. In 2012, the center was forced to close one of its two facilities due to funding cuts. When it requested more funds to help create more beds for incoming immigrant children last month, the county informed the proprietors, who normally care for the elderly, that the initial grant was intended for both buildings and demanded that a portion be returned.

In addition, the state of Florida has made great attempts to hide the numbers of children who are entering the state. They have also silenced the Children’s Home Society of Florida, a group that places border kids into foster homes, forbidding the organization from revealing any statistics to the public.



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