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Statement of ABA President H. Thomas Wells, Jr. on Department of Justice Decision Regarding Ineffective Assistance of Counsel for Immigrants

WASHINGTON, D.C., June 4, 2009 — It is fundamentally American to treat fairly those who come to our country, especially when their future and their freedom may be at stake. This decision by the attorney general will help ensure that immigrants who have been victimized by ineffective assistance of counsel have redress. This decision is important, and we applaud it.

The American Bar Association strongly believes that the substantive and procedural rights of applicants for immigration relief should be protected when their cases suffer due to incompetent representation. We are pleased to see the government initiate rulemaking procedures to evaluate the existing process. We hope that, ultimately, new guidelines will be issued that clearly uphold fundamental principles of fairness.

- 30 -

With more than 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

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