

# EXHIBIT J

**DECLARATION OF EVE STOTLAND, ESQ.**

I, Eve Stotland, Esq., declare as follows:

1. I submit this declaration in support of Plaintiffs' Motion for Class Certification. I have personal knowledge of the facts set forth herein, and, if called as a witness, could and would testify competently as follows:

2. I am the Legal Director of The Door's Legal Services Center (The Door) <http://www.door.org/>, in New York City. The Door's mission is to empower young people to reach their potential by providing comprehensive youth development services in a diverse and caring environment. Since 1972, The Door has helped a diverse and rapidly growing population of disconnected youth in New York City gain the tools they need to become successful in school, at work, and in life.

3. Among other services, The Door provides legal consultations and pro bono legal representation to young people who cannot afford a private attorney and meet our requirements based on legal eligibility for relief and available resources. The Door provides services in a range of substantive areas, including family law, public benefits, and landlord-tenant law. A substantial portion of our work is devoted to representing young people with immigration matters, including direct representation of young people in removal proceedings. Our office has five attorneys and legal fellows who work specifically on immigration-related matters.

4. I graduated from Yale Law School in 1999. I began working on immigration-related issues in 2001. I have particular expertise representing young people in immigration matters such as Special Immigrant Juvenile Status (SIJS) and in serving youth who have suffered abuse, neglect and abandonment. I have additional expertise in serving homeless and runaway youth and survivors of childhood trauma. As The Door's Legal Director, it is my responsibility

to supervise our attorneys and legal staff, as well as to assess our capacity to serve our client population.

### **The Juvenile Dockets at the New York Immigration Court**

5. Like other legal service providers in New York City, in recent years The Door has seen an increase in the number of young people who have fled their home countries—many of whom are eligible for immigration relief—and who need representation in their immigration cases. Many of these young people come from three countries – El Salvador, Guatemala, and Honduras. In most cases, they were apprehended by U.S. Customs and Border Patrol (CBP) in Arizona or South Texas, and relocated to the care of a sponsor identified by the Office of Refugee Resettlement (ORR) who is living in New York State. Most of the young people we see who are in removal proceedings have their cases venued at the New York City Immigration Court at 26 Federal Plaza in Manhattan.

6. In New York City, the number of children who have cases pending in the New York Immigration Court is so large that the Court has set up six separate juvenile dockets to accommodate them. The Immigration Judges at these juvenile dockets have calendars on certain days during the month and see only young people in immigration proceedings during these calendars. The New York Immigration Court limits these juvenile dockets to children who are under the age of 17.5 at the time of their first hearing.

7. On the juvenile docket days, young people appear before the Immigration Court for “master calendar hearings.” Generally, master calendar hearings are akin to status conferences or scheduling hearings, where the Immigration Judge discusses the status of the case with the parties and addresses any scheduling or administrative issues. Merits-related issues can often arise at master calendar hearings, depending on what is happening with the case.

8. The Door staffs one of these dockets, which is presided over by Immigration Judge Gabriel C. Videla every two months. Other legal services providers and bar associations in New York, including Catholic Charities, Legal Aid Society, the Safe Passage Project at New York Law School, and the American Immigration Lawyers Association, staff the remaining juvenile dockets.

9. When The Door staffs a juvenile docket, attorneys from our office arrive at the courtroom on that day and screen the children appearing before the Immigration Court. The Door does not enter appearances for these children, and instead conducts brief intake interviews with them at the Immigration Court in order to determine their eligibility for relief. We then call in these children for longer interviews at our offices. Our office thus ends up speaking with each child who needs representation who appears at the juvenile docket on that day.

10. The large majority of the young people at the juvenile docket arrive there without legal representation. For example, on a typical juvenile docket day in June 2014, our attorney received a list of sixty-two (62) children who were scheduled to appear in court that day. Of those, thirty-two (32) did not have counsel.

11. Although The Door can take on a substantial number of these cases, there are times when we must turn away children who need legal representation due to capacity-related reasons. Additionally, we often turn away children whose cases are venued at the New York Immigration Court, but who live in upstate New York and thus fall outside the geographic area that we can serve, given our limited resources.

12. The New York Immigration Court has asked The Door to conduct screenings and intake more than six times a year. But as the Legal Director of The Door, I have concluded that our organization lacks the capacity to staff additional dockets.

13. Moreover, certain restrictions on the New York City juvenile dockets mean that there are undoubtedly many children under the age of 18 who are in immigration proceedings, but who do not appear on the juvenile docket. As noted above, the New York Immigration Court restricts the juvenile dockets to children who are under the age of 17.5 when they have their first hearing. We have also heard that all of the juvenile dockets at the New York Immigration Court are so overburdened that some children are being placed in adult dockets despite their young age.

**The Need for Legal Representation Outside the Juvenile Dockets**

14. Outside of the juvenile dockets at which we conduct screenings, we receive numerous requests for legal representation from children and young people in immigration proceedings. The volume of requests is so overwhelming that as Legal Director, I have instituted a number of protocols in an effort to limit the number of intakes we receive outside of the juvenile dockets. For example, in order to obtain an appointment, clients not assigned to our Juvenile Docket must contact us on the first Monday of each month. To secure an appointment, they must call in the morning and must be persistent, as all of our new client intake slots fill by mid-day. We also prioritize certain children for legal representation, namely, children in foster care and homeless children.

15. As a result of these and other intake priorities, there are large numbers of children who may be eligible for various forms of immigration relief, but who we simply cannot serve. Despite limiting our intakes via the protocols and priorities I have described above, The Door still receives many more requests than we can handle.

16. Although some of the requests for assistance we receive are from children who are not currently in immigration proceedings, many of these requests are for children who are in immigration proceedings and facing deportation.

17. Cognizant of the needs of the community, my colleagues and I constantly discuss how we can serve more individuals or alter our priorities to ensure that we are serving the children who need us the most. But despite our efforts, we lack the ability to help all the children in immigration proceedings who require representation.

I declare under penalty of perjury of the laws of the State of New York and the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 8th day of July, 2014 in New York, New York.

  
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EVE STOTLAND, ESQ.