
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

Bill No: SB 1194
Author: Caballero
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Urgency: No
Consultant: Heather Hopkins
Hearing Date: April 20, 2026
Fiscal: Yes

Subject: Immigration Legal Fellowship Project

SUMMARY

This bill creates the Immigration Legal Fellowship Project for purposes of providing high-quality immigration legal services, including, but not limited to, removal defense, in rural and underserved regions of California.

ABSTRACT

Existing Law:

- 1) Requires CDSS, subject to the availability of funding from the annual Budget Act, to contract with qualified nonprofit legal services organizations to provide legal services to unaccompanied undocumented minors who are transferred to the care and custody of the federal Office of Refugee Resettlement and who are present in this state, for the sole purpose of providing legal representation to unaccompanied undocumented minors who are in the physical custody of the federal Office of Refugee Resettlement or who are residing with a family member or other sponsor. (*Welfare and Institutions Code (WIC) 13300(a), 13300(b)*)
- 2) Defines “legal services” to include culturally and linguistically appropriate services provided by attorneys, paralegals, interpreters and other support staff for state court proceedings, federal immigration proceedings, and any appeals arising from those proceedings. (*WIC 13300 (d)*)

This Bill:

- 1) Creates the Immigration Legal Fellowship Project to expand access to high-quality immigration legal services, including, but not limited to, removal defense, in rural and underserved regions of California.
- 2) Requires CDSS to administer the project to support legal fellowships for qualified individuals who provide immigration legal services, including, but not limited to, representation in removal proceedings, affirmative immigration relief, and related legal services provided pursuant to this chapter.

- 3) Provides that CDSS shall award grants or enter into contracts with nonprofit entities to operate legal fellowships, which shall include, at a minimum, all of the following components:
 - a. Recruitment, placement, coordination, and hosting of legal fellows.
 - b. Training, mentorship, and supervision of legal fellows.
 - c. Technical assistance and programmatic support necessary to ensure the effective delivery of legal services by legal fellows.
- 4) Provides that CDSS may establish eligibility criteria, application requirements, and funding priorities, including, but not limited to, criteria specific to serving rural and underserved communities.
- 5) Requires CDSS to include information on the use of funds appropriated for the purposes of this section in reports or updates provided to the Legislature regarding, at a minimum:
 - a. The number of fellowships funded.
 - b. The geographic regions served.
 - c. The types of legal services provided and in what language or languages.
 - d. The timeline of implementation and administration of this section.
 - e. The identification of further barriers and challenges to the delivery and provision of legal services.
- 6) Provides that this program does not limit the authority of CDSS to administer other immigration-related programs.
- 7) Provides that implementation of this section is contingent upon an appropriation by the Legislature for these purposes.
- 8) Defines “nonprofit entity” as an entity that meets the requirements set forth either in Section 501(c)(3) or 501(c)(5) of the Internal Revenue Code or in Section 23701 of the Revenue and Taxation Code and that meets the requirements in subdivision (a) of Section 13301.
- 9) Defines “qualified individual” as a licensed attorney or a recent law school graduate.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “Many of the communities most affected by immigration enforcement, especially in rural and underserved regions of California, have too few trained and too little removal defense capacity to meet the need, particularly when the lack can result in family separation, detention, and deportation. SB 1194 builds on a model California has already tested successfully. The five-year pilot of the Immigration Legal Fellowship Project demonstrated that a state-supported fellowship can expand access to immigration legal services by recruiting and training early-career attorneys, placing them with trusted legal service organizations, and building long-term legal infrastructure in communities that have historically been left behind. Over the last five years, the pilot program supported 19 fellows at 13 nonprofit organizations, expanded services across 39 counties, and provided more than 2,500 legal services all while strengthening local legal capacity and workforce development in these communities.

“Just as important, the pilot did more than help individual clients—it strengthened organizations and created a durable workforce pipeline. Host organizations increased their capacity, some became newly eligible for removal defense funding, and many fellows have remained in public service roles. This bill is not only about immediate representation; it is also about building a sustainable statewide system of due process support where it is needed most. SB 1194 makes the Immigration Legal Fellowship a permanent program within the California Department of Social Services to ensure access to immigration legal services in our most underserved communities continues to grow.”

Immigration Legal Fellowship Project

The Budget Act of 2019 appropriated 4.7 million dollars and authorized CDSS to create the Immigration Legal Fellowship Project, the first state-funded immigration legal fellowship. The Budget Act of 2020 included \$30 million for legal services programs for immigrants. The Immigration Legal Fellowship Project consisted of two cohorts of fellows. The first cohort began December 1, 2020 and ended December 31, 2023 and operated with 10 fellows. Cohort One handled 2,021 cases including immigration court appeals, writs of habeas corpus, bond hearings, and legal consultations. Cohort Two is currently operating with eight fellows in six organizations. The second cohort ends in September of this year.

In May 2024, a Final Service Delivery Report was completed regarding the first cohort project and described the following program outcomes:

- Coordinating organizations recruited and placed ten fellows in underserved communities. Fellows were trained on the intricacies of immigration law and procedure and established a continuous remote supervision model using highly experienced immigration attorneys.
- Host organizations were supported with organizational development training and established long-term sustainable removal defense programs.
- Two host organizations received funding for the first time within CDSS. A total of four organizations applied and received additional removal defense funding through a competitive application process.

- Host organizations transitioned to independent removal defense practices post-fellowship and established infrastructure for sustainable legal practice.
- Ten fellows completed the full three years of the program.
 - Nine of the ten fellows remained in the targeted regions.
 - There is a high retention rate among the fellows at their host organization. Eight of the ten fellows continued their employment in the nonprofit.
 - Nine of the ten fellows passed the bar exam, and one fellow applied for full accreditation from the Department of Justice.

This bill seeks to make permanent the Immigration Legal Fellowship Project.

Related/Prior Legislation:

AB 1261 (Bonta, Chapter 665, Statutes of 2025) requires the state to provide legal representation for unaccompanied undocumented minors in federal immigration proceedings, or related state proceedings, in California.

AB 120 (Committee on Budget, Chapter 43, Statutes of 2023) removes the requirement that contracts provide for legal services to unaccompanied minors on a fee-per-case basis and instead requires CDSS to determine the funding method. Allows grants to be used to provide immigration benefits and authorizes CDSS to approve a nonprofit legal service organization to receive a grant if it has at least three years of experience and has conducted trainings on immigration issues for persons beyond its staff.

AB 135 (Assembly Budget Committee, Chapter 85, Statutes of 2021) among other things, establishes the Enhanced Services for Asylees and Vulnerable Noncitizens program to provide for persons granted asylum or who are eligible to receive refugee cash assistance and services as victims of crime, authorizes CDSS to reallocate returned or declined funds among eligible counties and qualified nonprofit organizations for refugee social services programs, and repeals the July 1, 2022 sunset date for the rapid response program within CDSS.

AB 2642 (Levine, Chapter 103, Statutes of 2018) provides, in an effort to ensure that unaccompanied minors are able to apply for Special Immigrant Juvenile Status immigration relief, that a nonprofit charitable corporation not incorporated in this state may be appointed as the guardian of a minor if specified requirements are met, which include that (1) the nonprofit charitable corporation is licensed by this state to provide care for minors; (2) the nonprofit charitable corporation is contracted by the federal Department of Health and Human Services, Office of Refugee Resettlement to provide care and custody of the minor; and (3) the petition for guardianship is filed in connection with a petition to make the necessary findings regarding special immigrant juvenile status.

COMMENTS

Immigration proceedings are complex and potentially life-altering and those involved are not guaranteed the right to an attorney. The Immigration Legal Fellowship Project has provided high-quality legal representation to underserved areas of California. A January 2025 narrative report regarding the Immigration Legal Fellowship Project's working from July 1, 2025 to December 31, 2025 highlights the ongoing need for this program, writing, in part:

“The greatest challenge encountered during this period undoubtedly continues to be the extreme anti-immigrant environment under the current administration and the policy changes making it increasingly difficult to represent clients. Fellows have consulted with and offered representation to several people who had viable claims for relief, but who instead, elected to accept deportation because they could not endure detention. Detention conditions, particularly in the newly opened facility in California City, are abhorrent. Having access to clients has also been complicated. One Fellow drove to California City to visit a client only to be told that attorneys now had to schedule client visits in advance because the facility was short-staffed and could not accommodate unscheduled attorney visits. In another case, an indigenous man from Mexico with viable asylum claim chose deportation even after a Fellow communicated to him that they were willing to provide pro bono representation and to work on a release strategy including a habeas petition...

The constant firing of immigration judges has also been challenging for Fellows and their clients. Fellows have been preparing with their clients for individual court hearings only to learn that the immigration judge assigned to their case has been fired and the hearing is to be reset. Fellows then need to prepare again with the clients and submit additional evidence on a case-by-case basis. Additionally, the Department of Homeland Security (“DHS”) continues to take a highly adversarial position on all cases making it even more difficult to win bond and removal cases before the immigration court and appeals before the Board of Immigration Appeals. For example, DHS opposed a Fellow's motion to terminate based on her client's pending U visa. The Fellow, however, was successful in getting the motion granted, even over DHS's objection. Furthermore, DHS has been zealously filing last minute motions to pretermite asylum claims claiming clients should be removed to a third country based on Asylum Cooperative Agreement (ACA) the United States has entered with other countries. These ACA motions to pretermite are novel issues and Fellows along with their Mentor Attorney and Lead Fellowship Trainer continue to meet and strategize on arguments to best defend against these motions.

While Fellows continue their work, they also must keep informed of ICE's arrest tactics. Under these hostile enforcement times, many clients are deciding not to fight their case because they are fearful for their safety, their life, and that of family-members.”

As immigration and ICE actions continue to remain in the headlines, providing legal representation to those navigating a complex immigration system is paramount. This bill proposes to do this by making a very successful pilot program permanent.

POSITIONS

Support:

California Department of Justice (Sponsor)
ACLU California Action
California Change Lawyers
California Collaborative for Immigrant Justice
California Immigrant Policy Center
Center for Gender & Refugee Studies – California
Central Valley Immigrant Integration Collaborative
Centro Binacional Para El Desarrollo Indigena Oaxaqueño (CBDIO)
Centro LA Familia Advocacy Services
Immigrant Defense Advocates
Immigrant Legal Defense
Immigrant Legal Resource Center
Imperial Valley Equity & Justice Coalition
Jewish Family Service of San Diego
Moreno Institute
Oasis Legal Services
San Bernardino Community Service Center, INC
Santa Barbara County Immigrant Legal Defense Center
Santa Clara County Office of Education
Santa Cruz County Superintendent of Schools
Thai Community Development Center
Vera Institute of Justice
Watsonville Law Center
Wendy Root Askew, Supervisor, Monterey County

Oppose:

None Received

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