

Justice or Barriers: Examining Court Structures and Immigrant Communities

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Addressing long-standing legal inequalities, this study examines how citizenship status influences sentencing outcomes and access to fair representation in U.S. courts, answering why the U.S. judicial system contributes to systematic disparities faced by non-citizens and how ensuring reforms for equitable treatment is necessary. Studies show the years of this unfairness being something that has been an issue beyond measures and has only worsened with today's administration. Increasing methods of language services, having more judicial training awareness, and promoting federal oversight can ultimately improve this conflict. The dominant explanation for this is that the representation and fairness between non-citizens and citizens is clear that the courts find more respect for citizens rather than non-citizens. Also the overburdened immigration courts have limited resources which lead to rushed decisions and unfairness; not to mention the misrepresentation of court attendance and how they contribute to negative stereotypes and attendance rates. At length, the discrepancy of this matter has unfortunately tarnished the idea of having an equal fair verdict and assistance for everyone. Changing the narrative of undocumented individuals would create justice instead of dividing people, as it has been in division, just because of their legal status and what language they speak.

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Introduction

In 2014, Michael T. Light's article, "The New Face of Legal Inequality: Noncitizens and the Long-Term Trends in Sentencing Disparities across U.S. District Courts, 1992–2009" stresses the long-term patterns that have focused on citizen's gender, class, and ethnicity.

To sum up the way US. District Courts could treat each person. By questioning the importance of citizenship, Light's way of showcasing the disparities and brutal conduct towards immigrant communities has only created separation and hatred in America. Immigrant families do not have fair access to the court system, which is sometimes viewed as a bulwark of justice, particularly in diverse towns like Pomona, California. There are not enough translators in the courts to fulfill the language needs of the 143,674 residents, of whom 72.4% identify as Mexican and 4.4% as Salvadoran. I argue that there should be a higher budget in the federal courts, where that money will go to more resources that will help multiple people when seeking justice. Furthermore, although there are programs like language helplines that can help close this gap, many people cannot afford them and must be referred by a judge or court. With that in mind, these structural shortcomings show that the courts are not designed with immigrant families' interests in mind, which perpetuates inequality and makes it harder for them to successfully navigate the legal system. This idea is infectious to everyone. Due to a judge having the final say indicates how influential these disparities can lead up to.

Subsequently, the courts must promise to follow Title IV Act of 1964, stating that federal funding cannot discriminate with any national origin that limits anyone that doesn't speak fluent English. Though this negative connotation may change if the court decides to up the budget to help families in need, in this case, immigrant families. Minor setbacks slow the process down, so having a larger budget with interpreters will help immigrant families more than we imagine.

In this paper, we examine legal disparities, its sequence of dividing the people, while also explaining how time has not justified the injustices migrants face; as it has been decades where people have fought for equality more and will continue to strive for more. The study I will investigate is how courts can begin to behave in order to see a change in these issues without changing what has already been implemented but rather modifying those implications into a more fair and equal point of view.

Literature Review

[The Struggle for Fairness in Overburdened Immigration Courts]

Immigration courts struggle to provide fair hearings, as Ryan Lovelace's peer reviewed article "Immigration Judge Laments Lack of Due Process in Immigration Courts" highlights. The article emphasizes the structural issues brought on by large backlogs and a lack of judicial resources. Due process is allegedly compromised because judges are expected to handle hundreds of cases a year, frequently without the time to give each one the care it deserves. Lovelace draws attention to issues raised by immigration judges themselves, who complain about the temptation to move cases along quickly, frequently at the price of thoroughness. The piece also discusses how procedural difficulties might be made worse by political factors. Changes in administrative goals and policies, for instance, might distort court operations and further reduce the fairness of proceedings. Changing or "updating" protocols must hurt yet help at the same time. The pros and cons are divided to help only those that fit and hurt those that already feel at a disadvantage. "Immigration courts are the "forgotten piece of the enforcement puzzle" said Marks, an immigration judge in California who spoke in her capacity as president of the National Association of Immigration Judges," (Lovelace, 2017). This eventually illustrates how immigration courts have not been taken seriously so in fact, if a non-citizen has another court case what's to say they will be taken seriously? The unfairness that is witnessed should not be at all done because the importance of equality is practiced in the United States, a country that formed through immigrants migrating here for a better future. All things considered, the piece depicts a burdened system that is fighting to strike a balance between justice and efficiency in the face of an increasing caseload.

It represents larger discussions on how immigration courts should protect noncitizens' rights while balancing pragmatic limitations. The discrimination is not just with the different social class nor how they are treated but more importantly who it is. This ties into the unfairness to women, men, and children that all fight for a chance to be treated as someone that was born here.

[Balancing Impartiality and Identity]

The United States Supreme Court has long been questioned for its dual function as a court that decides constitutional issues and as a representation of the variety and ideals of the country. Regarding "Representative Court, Representative Government? In Angela Onwuachi-Willig "The Supreme Court as a Representative Body," the author discusses the conflict between the Court's symbolic significance as a symbol of the ideological and demographic diversity of America. To express in detail, the author emphasized the official function as an unbiased court and brought a larger idea into perspective as she wrote.. Onwuachi-Willig's work is a part of a larger scholarly debate that examines whether representation on the Court—whether based on gender, color, or political philosophy—affects how the public views the legitimacy and credibility of the court. The untrustworthiness of the system aggravates people seeking for their voices to be heard. Onwuachi-Willig expressed, "The archetype adjudicator remains uninfluenced by sources outside the law and is entirely free of bias," (Onwuachi-Willig, 2005). This offers a hopeful perspective of my question because sometimes one may believe that discriminating between people who are citizens and those who are not, will always be the outcast. As a reader, it encourages you to acknowledge the differences immigrant families face in the court. The text does, however, also address rebuttals, especially those that prioritize judicial impartiality over identity-based representation. Opponents of representational diversity warn against confusing substantive representation—

which makes decisions that are in line with the requirements of the public—with descriptive representation, which reflects the population's demographics. In response to these worries, Onwuachi-Willig contends that the two are not exclusive and that a more representative Court can improve the institution's perceived fairness and capacity to serve a wide range of people. The study she conducted adds to larger discussions about the function of identity in governance in political science and the law. Onwuachi-Willig places the Supreme Court in this context, contending that its makeup conveys important messages about who is welcome in the American political system and whose opinions are respected. By illuminating the relationship between representation, legitimacy, and institutional trust, this study adds to the expanding conversation on judicial diversity. Onwuachi-Willig challenges readers to think about whether a more representative judiciary is likewise necessary to achieve a truly representative government by analyzing the Supreme Court as a judicial and symbolic body.

[Unveiling Inequities in the Federal Justice Systems]

Within legal and sociological academia, the relationship between citizenship status and sentencing inequalities in U.S. federal courts has become a crucial subject of study. By analyzing how citizenship affects sentencing results over almost 20 years, Michael T. Light's "The New Face of Legal Inequality: Noncitizens and the Long-Term Trends in Sentencing Disparities across U.S. District Courts, 1992–2009" adds to this conversation. According to Light's research, "Noncitizens are routinely given harsher punishments than citizens of the United States, underscoring a recurring legal injustice in the federal court system," (Light, 2014) describing the injustices that reoccur but also the optimism that there is room to change. This article places these results in the context of a larger corpus of research on sentencing inequities. Gender, socioeconomic class, and ethnicity-based disparities have been extensively studied in the past, focusing on how these factors interact with judicial discretion to produce unfair outcomes. By questioning the importance of citizenship, Light broadens this focus. According to him, noncitizens are especially vulnerable to harsher penalties due to their perceived outsider status and the interplay between immigration and criminal justice, or "crimmigration."

Light's study of data from 1992 to 2009 demonstrates long-term trends that correlate with more major policy changes. Beginning with the increased criminalization of immigration violations also the increased federal immigration enforcement throughout this period. The author contends that these changes have strengthened punitive measures against noncitizens, leading to sentencing decisions that exhibit prejudices both within and outside the law. This treatment has increased the intertwining of criminal law and immigration as a cause of structural inequality. The mechanisms behind these discrepancies are also covered in Light's work, such as prosecution discretion, sentencing standards, and judge opinions of noncitizens as flight risks or public safety threats. Given the wider ramifications for procedural justice and public confidence in the judiciary, Light's results allow the audience to perceive that justice in the legal system is essential for preserving legitimacy. However, the recorded inequalities for noncitizens cast doubt on this theory, exposing systemic injustices that threaten the goal of equal justice under the law. To sum up, Light's research offers a critical perspective on how citizens and noncitizens see the American legal system. The paper adds to the expanding body of research on how legal systems sustain inequality by illustrating long-term sentencing discrepancies and placing them within the larger socio-political framework of immigration and criminal law. This study conquers the necessity of changing laws to address these inequalities and guarantee that everyone is treated fairly, regardless of citizenship status. Small steps should be taken in order to start with a reasonable workload even though the justice system should have been built around people in need, such as the lower class and immigrant communities just as much as it is for the higher class.

[. *Sentencing Disparities for Noncitizens in the U.S. Federal Courts*]

Immigration court attendance numbers, which are frequently misrepresented, have been a divisive topic in public and political discourse. The complexity of this subject is examined in the Washington Post article, "How Many Migrants Show Up for Immigration Court Hearings?" which responds to statements like Vice President Pence's saying, "More than 90% of migrants do not show up for their court hearings," (Rizzo, 2019). The Department of Justice (DOJ) cites much lower no-show rates, with data showing that 44% of non-detained migrants did not show up in 2018, which contradicts these claims. (Rizzo, 2019). The difficulties in interpreting attendance data because of differences in data collection and reporting techniques are highlighted in the essay. The overall picture is skewed because DOJ data frequently concentrate on "initial case completions," omitting cases that have been postponed or reopened. Unfortunately the attendance rates have been affected by a lot due to the events we face today. It is no shock that it is dangerous for people to leave their home if they are undocumented. This grasps the idea that individuals that need to appear in court will go because it is an order they must follow and not something that they want to do. With not arriving or living homes, harms not only court hearings but other services that are provided in the courthouses.

Furthermore, the inability to check government data and public accountability are hindered by the opaqueness of immigration court documents. This study highlights the larger problem of how inaccurate data feeds divisive immigration narratives. It is consistent with scholarly research that examines how the selective use of statistics affects public opinion and policy-making, such as the studies on the relationship between procedural justice and immigration enforcement. Rizzo challenges simplistic political hyperbole and offers a nuanced perspective on court attendance by analyzing conflicting statistical assertions. Attending only hurts the community instead of helping them. Making an appearance to court shows determination and dedication to see a change in their legal status. However, nonappearance is sometimes interpreted as a lack of engagement, though barriers such as fear, misinformation, and logistics are often at play.

With that considered, why is it that the media misconstrued information that only hurts certain groups of people? Minority groups differ in the conduct of how society treats them, unlike citizens. Citizens are viewed on a higher pedestal whereas it feels like anyone that migrates from another country has to earn their respect here. Rizzo examines how the tracking percentage number is oddly only to immigration court cases. It is evident that this misconduct can change the perspective of one's life if a judge is not giving an equal fair opportunity to all people. Rizzo's idea makes the reader further wonder if the challenges that Rizzo emphasizes are a reason why people protest more and more in order to make their voices heard.

[Federal v. State Power]

The debate over the relative authority of the federal and state governments in immigration enforcement has been one of the central issues in American law and political discourse. In the 5-3 ruling, the U.S. Supreme Court substantially rejected Arizona's controversial immigration enforcement law, also recognized as the "Show Me Your Papers" law, reported in the Press-Citizen newspaper article "Immigration Reform Is a Federal Issue." The decision affirmed the federal government's primary authority over immigration law and enforcement that state laws conflict with federal requirements are preempted. The majority ruling by Justice Anthony Kennedy outlines several important immigration law tenets. These include the Immigration Reform and Control Act of 1986's decision to forego criminal sanctions for undocumented employment, the acknowledgement that illegal entry and readmission are federal violations, and the federal government's sole jurisdiction over alien registration. Kennedy further emphasized that having removable aliens in the United States is not always illegal and described removal as a civil matter that involves a great deal of discretion on the part of federal officials. "Given all the civil rights concerns raised in this court opinion, we don't want to see the Iowa Legislature

implementing anything close to the "show me your papers" components of the Arizona law, "(Citizen, 2012). This ruling is consistent with more general reasoning that emphasizes the federal government's absolute power in immigration-related affairs. According to Press-Citizen, federal preemption of state-level immigration legislation avoids a disjointed approach to immigration enforcement, which would jeopardize national equity and uniformity. The ruling also emphasizes the tension between the attempts of states to tackle local issues, such security and financial concerns over unauthorized immigrants, and the federal government's unique constitutional obligation. Critics argue that the Arizona law and related policies tax immigrant populations excessively and promote racial profiling. The Court's decision supports the fundamental principle that immigration enforcement actions cannot override the established discretion of federal agencies or disturb the balance of federal power. The Court reaffirmed the idea that immigration reform and enforcement necessitate a unified federal framework by invalidating important parts of Arizona's legislation. This case is still a crucial point of reference for comprehending the legal limits on state intervention in immigration issues as well as the continuous difficulties in implementing immigration reform at the federal level. The 2001 study by David B. Mustard investigates whether sentence decisions in federal courts in the United States differ based on a person's gender, race, or ethnicity. Mustard examines more than 77,000 federal defendants sentenced under the Sentencing Reform Act of 1984, which sought to eliminate sentencing inequities through mandatory guidelines, using data from the U.S. Sentencing Commission.

[A Review of 'Racial, Ethnic, and Gender Disparities in Federal Courts']

The study's meticulous empirical methodology makes it noteworthy. To account for a variety of legal and extralegal variables, such as offense characteristics, criminal history, district court location, and more, Mustard uses regression analysis. The results indicate that notable differences still exist despite the guidelines being designed to standardize sentences. In particular, compared to similar white offenders, African American and Hispanic defendants typically receive lengthier terms. Furthermore, women are typically sentenced to shorter terms than men. Mustard's work adds to an expanding corpus of studies challenging the efficacy of

federal sentencing standards in eradicating discrimination. It is consistent with past research by academics like Spohn (1993) and Alschuler (1991), which shows enduring racial and gender bias in sentencing determinations. "For these two crimes, Hispanics receive 6.1 and 3.7 additional months compared to whites, or 8.0 percent and 7.0 percent longer in percentage terms," (Mustard, 2001). This article specifically tackles the criminal cases but significantly ties into how any case doesn't change a judge's mind of people in the minority group.

Important policy ramifications are also brought up in the text. Mustard talks on how the objectives of uniformity may be undermined by discretionary judgments that infuse subjectivity into sentencing, such as prosecutorial decisions, plea bargaining, and deviations from the guidelines. The results cast doubt on the notion that racial, ethnic, and gender biases in the criminal justice system can be eliminated by formal legal frameworks alone. All things considered, Mustard's research is a seminal contribution that employs strong empirical techniques to verify that, in spite of initiatives to enforce uniformity and justice, differences in federal sentencing outcomes continue to be a significant problem. Judges do not feel sympathy for the defendant nor the plaintiff none the less any people that arrive without speaking English at a conversational level. This idea is outdated yet due to unfortunate events these ideas will only show themselves more in the spotlight. Since then, his work has impacted more studies on the shortcomings of sentencing reform and the intricate relationship between formal regulations and individual judgment in court.

Hypotheses

Significant obstacles to justice for noncitizens are shown by the structure of the US judicial system, which also displays its inherent difficulties. The system is unable to meet the particular requirements and difficulties experienced by immigrant populations, despite its ostensible role in maintaining justice.

The principal cause of this insufficiency is systemic inequities. The rulings that prioritize expediency over thoughtful analysis, heavy caseloads, and inadequate legal representation. The judicial system's inability to provide noncitizens equitable access to justice reveals how out of step it is with immigrant populations' needs and realities. This also puts into perspective subsequent marginalization. The key importance to a better judicial system is to understand the disparities and navigate a method in which those inaccessibilities can be accessible for all people.

H1: Language hurdles, limited access to legal assistance, and implicit judicial bias cause structural disadvantages for immigrant litigants in U.S. district and immigration courts, leading to unfair case outcomes as compared to U.S. citizens.

Comprehending this defect can create a brighter future for individuals that are in need, going through tough obstacles. As previously mentioned, Having a larger budget will not only create more jobs for people but will also serve the people well in having more programs and opportunities. Having more accessibilities and overall equality, will unite all communities and classes in the long run. In Robert J Kane's article, he analyzed police officers that arrest domestic violence offenders but also examined the possible statistical racial biases between groups, "This method is different from indicator contrasting in that, rather than relying on dummy coding with a reference category, the deviation contrast allows for the comparison of the regression coefficient to the "average effect of all categories" of the variable," (Kane, 2000).

Methodology

Americorps JusticeCorps's mission is to improve lives and foster civic engagement through service and volunteering to different communities, more specifically individuals in the lower class or those with limited access to legal help. JusticeCorps members are unpaid volunteers that are placed in the Self-Help Centers to help litigants that self-represent themselves in court. JusticeCorps members mainly focus on domestic violence, civil harassment, and elder abuse restraining orders. They also offer another type of service where litigants are put on a computer and JusticeCorps members are on the other end of the screen helping them with a

“workshop” that helps them if they are getting evicted. Our task is to serve the individuals who walk in seeking help with the issues they may face. For restraining orders, litigants are put on computers to complete a self-guided interview that includes more statistical questions and a declaration where litigants can explain in detail the reason why they are asking for the restraining order, from the most recent abuse to other previous dates. We stress that the litigant notes all details and if necessary provide evidence to build a stronger case. Litigants can include photos, letter, and or anything that matches with their declaration. Once the litigants complete the self-guided interview JusticeCorps members look over it before just to ensure they are not missing anything that could hurt their case. Almost usually, litigants qualify to get their fees waived if they fill out a fee waiver form due to the income they make annually or the help they receive from the government.

The volunteers themselves, like myself, put the file in order ensuring easy access to the judge and the clerks, later explaining in detail to the litigants what they are filing today and what each page indicates. This phase is crucial because most litigants have never seen legal packets like this nor do they visit the Self-Help Center frequently. Forms such as the MC- 030, CH-100, and FW-001 are the ones litigants complete. In this time litigants could ask questions to have a better understanding. If it needs to be translated it will happen throughout the start to the end of the process where we help those individuals. In order to be effective and understandable to the community, we are to study and understand what we say in English to be able to adequately say it in Spanish. For attorneys and paralegals, these forms are familiar but for someone that has never seen forms of this kind, it can be overwhelming or confusing. Once the litigant confidently understands the process of the filing and have completely signed the whole physical file, they submit their file to the clerk’s office. Beyond that, litigants arrive at their court hearing and the center doesn’t get notified of what happens to their case.

Being stationed in the Los Angeles County Superior Court - East District - Pomona Courthouse South, we have the privilege of serving many individuals with all sorts of ethnic backgrounds. According to the Census, in 2023, “the race demographics in Pomona California, 22.71% are White, 11.13% are Asian, and 38.42% are other races!” This allows volunteers to exercise other languages and expand their help to more litigants. I have the privilege of speaking Spanish at a proficient level enabling me to help more litigants and translate all their documents from English to Spanish. As all litigants usually ask repeating questions such as, “How does this help me?” “Will I feel safer?” In my experience, all litigants want to know how restraining orders benefit them as well as the capacity in which a restraining order helps them. Women and elders tend to feel a little less uneasy about their safety. Moreover, non-English speaking litigants ask the same questions but also include more questions. From experience, mainly women are more afraid in comparison to men. Women often feel cornered in these tragic situations because they do not feel like they meet self-defense standards which shows how mothers and young adolescents find themselves at the Self- Help Center. Although, in the article, “ Factors Influencing the Use of Domestic Violence Restraining Orders in Los Angeles, the author analyzes, “Other studies reported that those women who applied and qualified for two-year restraining orders, reported a significant reduction in violence subsequently after 18 months regardless of whether the restraining order was implemented (McFarlane et al., 2004). Moreover, women with permanent restraining orders were also at significantly less risk of physical abuse, fewer odds of contact, and fewer odds of sustained psychological abuse by the perpetrator compared to women who reported IPV but did not obtain restraining orders (Conner, 2014; Holt et al., 2003),” (Shah, Nguyen, & Gilk, 2022).

Analysis

In this project’s analytical portion, I will examine the experiences of the AmeriCorps JusticeCorps program and their aid to help individuals both non-English speakers and individuals with all sorts of backgrounds, and their efficiency with their work. As a legal access intern in the Los Angeles County Superior Court in Pomona, I was impacted with the different stories and the complexity I was exposed to.

Spanish-speaking litigants tend to ask beyond standard questions such as “How long will this order help me for?” “Can I get a temporary restraining order now?” Not only do they ask those questions but also express the fear they have outside of the Self-Help Center due to the fact that they don’t understand everything in English so it sparks more anxiety not knowing what is being said. On one specific occasion, a Spanish-speaking litigant came in seeking protection from her neighbor. I had started to ask her statistical questions which led me to know a little more about her life. I concluded that this lady had young children, her oldest was still in elementary school and she felt threatened in her home by her neighbor. The restrained person in this example was an older woman who identified as a white person who spoke fluent English and Spanish. When this litigant and the restrained person encountered the police, which was many times, the older lady usually had an advantage because she was able to communicate more in-depth to the police. The restrained person made the litigant look like they were dangerous and the litigant didn’t know how to make herself look like a good person because of that language barrier. In Zhao and Huang’s article, “Interpreter mediation as other-initiated self-repair in court: Effects on the defence in Chinese bilingual criminal trials,” “Defendants are the only ones reliant on interpreters due to court power disparity,” (Zheo and Huang, 2025). The authors highlight how effective language barriers are and how dependent people are because it is their way of completely expressing themselves. The litigant expressed financial problems as well as the struggles of looking for jobs without having a legal status. Her current house was all she could afford but it no longer felt like home. She could not hire an attorney with her pay rate so she scavenged a way to get help without having to pay so much money. Many individuals express these kinds of fears which lead them to become vulnerable but strong enough to look for a solution, which to them is the Self-Help Center.

This is a significant event since her situation was very detailed and entangled with many unfortunate battles that all made the litigant feel trapped. Although this example doesn’t lead me to the judge’s final verdict, and how this court hearing played out; I delve into asking a licensed immigration attorney, who will remain nameless for their privacy. To further answer my research question, interviewing an attorney would better help the understanding with what goes on in court from the lense of an attorney that doesn’t sit in the audience but rather speak with and for their client. Appendix A, With a more conversational interview, I asked the attorney to walk me through the process of how the judge usually starts off a trial or a pre-trial in court. The goal was to notice if there was a pattern. The pattern to note was the behavior and demeanor the judge might have when sorting out a case. The attorney walks me through what could be any case really, a criminal case, immigration case, or even a restraining order case. “The judge reads the declaration before leaving their chamber in order to properly conduct this hearing. The court rises which indicates that the attention is now on the defendant and or the plaintiff. The judge would usually call in interpreters if necessary but in my case, I am bilingual so there is no need,” states the immigration attorney. In the peer-reviewed article, “Breaking language barrier in court,” the author describes, “California has required courts to provide interpreters to criminal case defendants since 1979. And, according to the California Judicial Branch Web site, almost 20 percent of state residents who find themselves in court need help from an interpreter,” (Shimura, 2010). The attorney in question, was asked to describe the judges demeanor towards the defendant or plaintiff as well as litigants if he saw any. “The judge is very firm and cutthroat with most people. It depends on how patient and how much time they have for that hearing. The judge definitely hopes that the clients have an idea with how to answer or proceed when asked a question by the judge,” emphasized the attorney. After dissecting the 15 minute interview it was evident that judges do not want to restate nor teach someone with or without an attorney on how to carry themselves and answer their questions in the courthouse. “Approximately 9% of cases decided ended with a grant of relief (such as asylum); less than 1% of cases were granted withholding or deferral of removal.

Voluntary departure represented 2% of outcomes,”(Straut-Eppsteiner, 2024). Although this contrasts restraining order outcomes this conveys the percentage in which immigration cases are granted and this allows us to summarize how likely you are to be granted like restraining orders. Asylum cases and restraining orders need evidence that this will support you from that day forward. Diversity in a group can change how people act and lead to fairer outcomes, even if each person doesn't consciously act differently based on their own race. In the peer reviewed article, “Can Racial Diversity among Judges Affect Sentencing Outcomes? Written by Allison P. Harris, “Political scientists and criminologists have shown that the context in which a trial judge works can influence their sentencing decisions (Eisenstein, Flemming, and Nardulli Reference Eisenstein, Flemming and Nardulli 1988; Ulmer and Johnson Reference Ulmer and Johnson 2004). And representative bureaucracy literature demonstrates that the level of descriptive or “passive” representation within the government workforce influences how policies are implemented and administered, especially as those policies relate to race and gender,” (Harris, 2023). Political Scientists and researchers show that there is a correlation to what judicial outcomes may turnout depending on the extent of the situation of the case.

Through it all, the attorney highlighted how the declaration plays a big role in a person's case when they present themselves in court. With plenty of immigration cases the attorney understands that there is some bias when the client does not speak English in comparison to a person that does. It is evident that there is a little less respect when the judge may look at a person as an “outsider.” In Fine, Anna; Berthelot, Emily R, and Marsh Shawn's peer-reviewed article titled, “Public Perceptions of Judges' Use of AI Tools in Courtroom Decision-Making: An Examination of Legitimacy, Fairness, Trust, and Procedural Justice,” “The choice to focus on Black, Hispanic,

and White participants specifically allows for a targeted comparison: Black and Hispanic individuals represent communities that have been disproportionately affected by biases in judicial decisions, while White individuals generally report more favorable experiences within the justice system,”(Fine, Anna; Berlothelot, R, Shawn, 2025). The United States is built off migrants so many border states have individuals and citizens that share different cultures but each race and ethnicity has not been treated correctly. Analyzing an immigration case and a restraining order do not correlate nor do they compare but they do find themselves to have some similarity when asked to explain their reasoning which ultimately runs down to getting a fair verdict and wanting justice for themselves.

Conclusion

Numerous individuals believe the judiciary in the United States to be a representation of justice and equity. The reality of immigrant communities, however, is substantially distinct from this ideal. It is clear from in-depth research, opinions of experts, and direct observation that the courts now fail to fairly represent and help immigrant communities. The system that many immigrants must navigate was not designed with their reality in mind, which often results in unfair conclusions that further marginalize already vulnerable communities. A licensed immigration attorney who wished to remain anonymous but provided important insights into the system's shortcomings provides a significant piece of evidence in favor of this finding. The expert claims that with several systematic problems in the legal system this harms and has disproportionately hurt immigrants. Without taking accountability to these actions and changing the system will help provide immigrants with equitable outcomes numerously. These factors include the backlog of cases, rushed hearings, and inadequate legal representation, and language difficulties. In the peer-reviewed article, “Limitations of Washington Evidence Rule 413,” it states, “However, ER 413 falls short of its goal of promoting access to justice and protecting immigrants from jury bias without a supporting system that addresses (1) the dangers of implicit bias for immigrant litigants and (2) an acute issue inhibiting access to justice--immigration arrests outside of local courthouses,” (Desautels, 2020).

Evidence Rule 413, which renders immigration status generally inadmissible in court, was adopted by Washington in reaction to a case in which a jury was probably swayed by evidence of an injured plaintiff's immigrant status. The rule seeks to advance access to justice and shield immigrants from discrimination. The paper contends that ICE arrests close to courthouses and implicit bias continue to deter immigrants from engaging with the legal system, proving that ER 413 alone is insufficient. To fully accomplish ER 413's objectives, the author advocates for jury bias training and legal action against courthouse arrests. Immigrant communities feel that they are at a disadvantage as their attorney underlines, and are compelled to define themselves against intricate legal issues without full comprehension or sufficient assistance.

In addition to professional testimony, my personal experiences during my internship with JusticeCorp have provided vivid, real-life examples that affirm these findings. During my time with JusticeCorp, I worked closely with litigants that have admitted to me that they are not comfortable disclosing their legal status but are frightened to represent themselves in court. Those litigants appeared in court without legal counsel and it doesn't necessarily serve their case well. Litigants that come to the Self- Help Center often are low- income families that are at danger with their life and seek legal help. Going into a courtroom without knowing the language at full as well as having no attorney help can ruin the outcome of the verdict because the judge is trying to hear both sides but also mentor the litigant into what and how to say things in the courtroom. Judges occasionally appeared dismissive or impatient, rushing through cases without pausing to make sure those involved understood the proceedings completely. Instead of being isolated occurrences, these insights pointed to widespread trends that exposed a pervasive issue with the legal system. Furthermore, when interacting with the courts, a large number of immigrant litigants showed obvious signs of anxiety and bewilderment, See Appendix A.

They frequently felt helpless and ignored due to the intimidating environment, complicated legal jargon, and quick-paced proceedings. Where possible, JusticeCorp offered support, but in practice, structural change is required that goes much beyond the work of any one group. With better translation services, more access to legal counsel, and judges who are educated to identify and overcome linguistic and cultural hurdles, are all primary examples of how the court system could be redesigned to better serve immigrant experiences and their needs. It ultimately brings more comfortability to people that do not have a set legal status to be able to walk into a courthouse with confidence. However, it is crucial to remember that some progress has been made. According to the peer-reviewed article "Judicial Honors," Judge Mark Juhas of the Superior Court of Los Angeles County was given the 2023 Aranda Access to Justice Award for his sustained efforts to advance justice and accessibility to the courts, particularly for Californians with low and moderate incomes. Judge Juhas has worked to expand services and access to justice in family court, helped create a program to educate and promote the practice of family law statewide, and has improved services for self-represented litigants," (Iguade/Greacen, 2023). Assistance like this, has increased the availability of nonprofit legal aid and the occasional appointment of interpreters; these efforts are not enough to address the deeper structural inequalities that persist.

The courts will continue to fail to enforce the fairness and justice they purport to uphold until they recognize and address the inherent disadvantages experienced by immigrant populations, as we have discovered in Rizzo's peer- reviewed article, How Many Migrants Show up for Immigration Court Hearings? ICE raids are subjected to get worse as time goes on here in the United States which doesn't help the judicial system because this could potentially affect the attendance more than its been. In summary, the evidence unequivocally demonstrates that immigrant communities are not fairly represented by the courts. This regrettable fact is further supported by the testimony of an experienced immigration lawyer and my personal experiences with JusticeCorp. The system as it currently exists does little to address the enormous obstacles that immigrant litigants must overcome in order to be treated fairly. The courts must make a commitment to significant reforms that guarantee immigrant populations

are heard, respected, and adequately represented in the legal system if they are to genuinely attain justice. The people who depend on the courts the most will continue to be let down if such reforms are not made.

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