

Barriers to Understanding the U.S. Legal System For Migrants and Bordertown Communities

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Background

El Paso, Texas, and Las Cruces, New Mexico, sit as one of the busiest courtrooms as they serve as common crossing points in the U.S., with the courts seeing more than 600 cases a month, mostly **immigration-related**.

The most common charges were **1325: Improper Entry by Alien** and **1326: Reentry after Deportation**. These courtrooms are often empty, with the local community rarely being present to hold the courts accountable.

Migrants who may be crossing often may speak a different language, leading to them having a court interpreter; however, there are barriers such as linguistic, cultural, and educational backgrounds.

Research Question

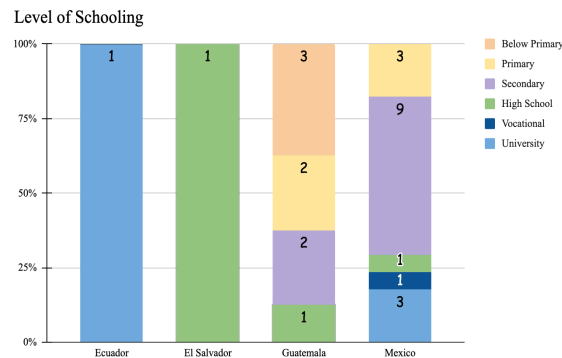
How understandable and transparent is the legal system to **both** the individuals going through the system and the broader community around them?



Methods

- Attend over 240+ legal proceedings in El Paso, TX, and Las Cruces, NM
- Interview with 4 Court Interpreters
- Interview 3 Public Defenders
- 1 Jury Trial & 1 Bench Trial

Findings



- *A high level of confusion leads to compliance supported by Court interpreters and Public Defenders.*
- *How many judges asked for educational backgrounds? 2.*
- *The average number of individuals in a group was 4.6.*
- *How do court dynamics (group hearings, interpreter use, family presence) shape understanding?*
- *Small changes, such as a screen displaying case schedules, make courts accessible (Las Cruces vs El Paso).*

Future Research

- Find ways to directly hear about migrant's experience within the courtroom.
- Compare other border communities' court systems to see where they can be more improvement.

Key Takeaways

Observation matters: When courts are watched, it holds judges accountable.

Due process is uneven: With different educational backgrounds, many migrants struggle to understand proceedings, even when they are still going through "due process".

"With transparency comes accountability. With accountability comes justice." – Courtwatch.org

