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Venezuelans Facing Deportation: Trends in Legal Representation in U.S. Immigration Court

February 25, 2026¹

Overview

This fact sheet presents original analysis of historical data and recent trends in the legal representation of people facing deportation in U.S. immigration courts, specifically for those of Venezuelan origin.² Many additional Venezuelans are facing removal but do not have a case filed in immigration court (e.g., via expedited removal) or are at heightened risk of removal having lost their Temporary Protective Status (TPS), humanitarian parole, or other protections. This fact sheet does not review data relating to these individuals.

Here we use a minimalist definition of representation in immigration court that counts people as represented if they had representation at any point during their case. The analyses also include representation counts and percentages for cases that have been completed along with those that are still pending. Where appropriate and feasible, we disaggregate the data by nationality and state.

¹ EOIR case data extract from February 13, 2026.

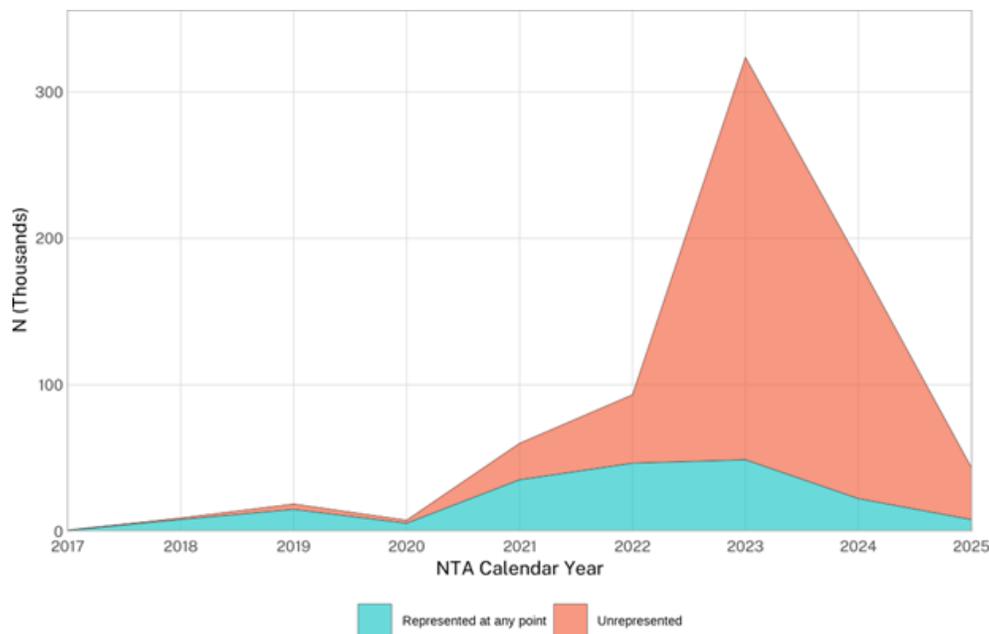
² The original analysis presented in this fact sheet is based on the administrative database of the U.S. immigration court system, run by the U.S. Department of Justice's Executive Office for Immigration Review (EOIR). This database is publicly available for download from the EOIR FOIA Library website, and we rely on the public data through December 2025 using the file extracted February 13, 2026, from <https://www.justice.gov/eoir/foia-library-0>.

Historical Trends in Representation

Figure 1 shows the trend in the count of deportation cases of Venezuelan nationals³ with representation at any point (red-orange area), those that have never had representation (aqua area), and all cases (the total area). These counts are plotted over time by the calendar year in which the Department of Homeland Security (DHS) filed the Notice to Appear (NTA) in Immigration Court; not, for example, based on the number of cases with (and without) representation during each year.

There was a sharp upward trend in unrepresented cases that began between 2020 (2,113) and 2023 (274,828), before declining sharply again in 2025.

Figure 1. Case Representation Frequency for Venezuelan Nationals, NTA Calendar Year 2017 - 2025



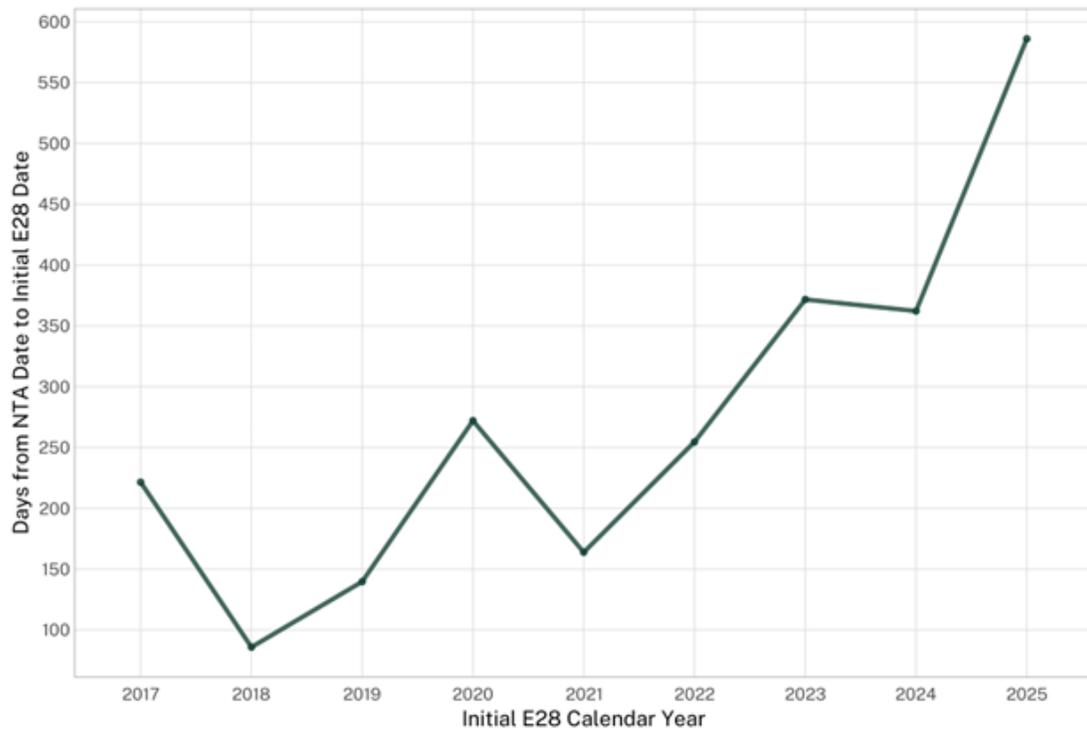
Note: Unrepresented cases include both those that have not yet been represented (pending cases) and those that were never represented.

When interpreting these numbers, it is important to consider that, on aggregate, more cases within the same NTA-filing-year cohort procure representation each year. That means that a lower representation rate for cases with an NTA filed very recently should not be taken to mean that the likelihood of people getting representation in their cases at any point in their case is declining. In fact, among the people with the same NTA year, the number and percentage with representation can only grow (or remain unchanged) as time passes.⁴

³ For all analyses in this document the focus is on deportation (i.e., removal) cases, though we will generally refer to these as “cases” throughout for the sake of brevity.

⁴ Importantly, this is not the same as saying that the likelihood that an individual will gain representation in their case grows over time. Rather, it is a feature of the way this type of NTA-cohort analysis is structured that is necessary to understand to avoid misinterpretation.

Figure 2. Increase in Median Time to Representation for Venezuelan Nationals
E-28 Calendar Year 2017 - 2025

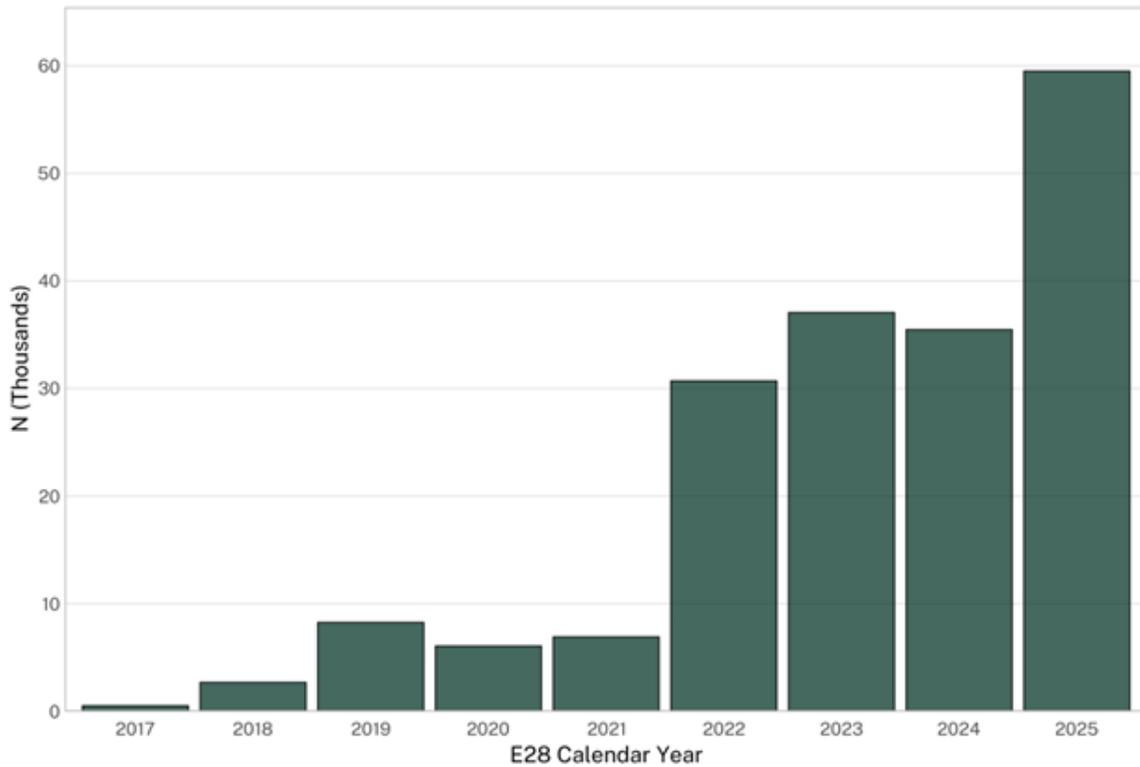


As shown in Figure 2, the median time from the NTA filing date to representation for Venezuelans has been on a clear upward trajectory during the bulk of the period of analysis – with the only exceptions being 2018 and 2021. Specifically, the time to representation increased from a low of 86 days in 2018 to 586 days in 2025.

The total number of Venezuelans with NTAs filed in the same year is fixed, while the number among them who eventually gain representation cannot decrease and is expected to grow, though it is difficult to know by how much, especially for the most recent NTA-year-cohorts.

Another way to track historical trends in representation is to focus on the number of cases for which representation was initiated each year, as defined by the filing date of a new E-28 form in immigration court.

Figure 3. Case Representation Initiation for Venezuelan Nationals
E-28 Calendar Year 2017 - 2025



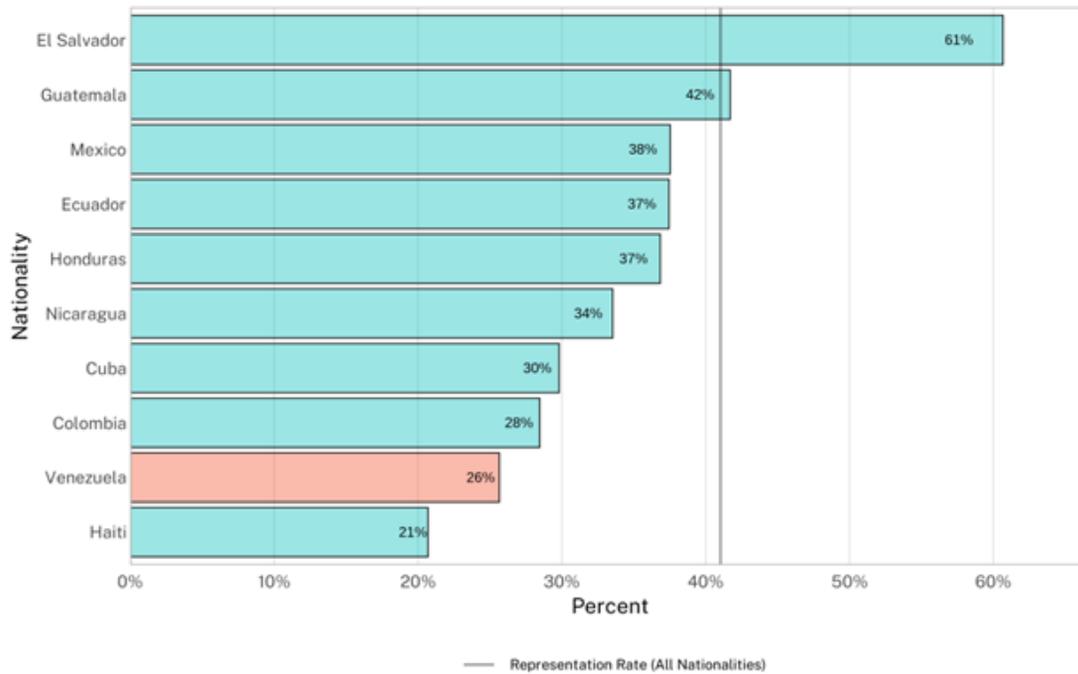
As Figure 3 shows, this number spiked in 2022, reflecting the increased capacity of legal providers over time as well as the increase in need over this period. The number of Venezuelans who became represented in 2025 far exceeds the number in previous years.

However, as Figure 1, Figure 5, and Figure 6 all show, this growth in representation initiation has not kept pace with the much faster growth in need.

Demographic Variation in Representation

This section compares representation rates and counts for people facing deportation in immigration court by alleged nationality. The analysis focuses on the 10 nationalities with the largest number of cases with an NTA filed since 2017.

Figure 5. Representation Rate by Nationality - Ten Largest Caseloads
NTA Calendar Year 2017 - 2025



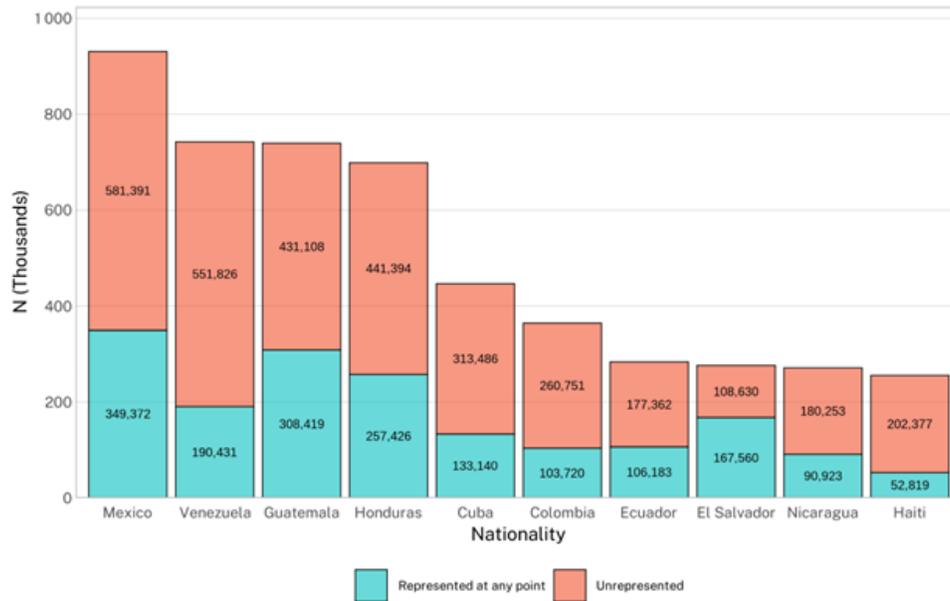
Note: Unrepresented cases include both those that have not yet been represented (pending cases) and those that were never represented.

Of the nationalities with the 10 largest caseloads with NTAs between 2017 and 2025 Venezuelans had the second-lowest representation rate, second only to Haiti, and 15 percentage points below the average for all nationalities.

Venezuela had the second-lowest representation rate during this period and the second-largest caseload (see Figure 6). While about 189,000 fewer Venezuelans had cases compared to Mexicans, only about 30,000 fewer were unrepresented.

This means that, overall, close to 552,000 Venezuelans who have faced deportation since 2017 (74% of the total) did so alone, without representation. For Venezuelan respondents navigating an even harsher political climate, the need for counsel is now as acute as it has ever been.

Figure 6. Total Number of Cases by Representation Status and Nationality
 Ten Largest Caseloads, NTA Calendar Year 2017 - 2025



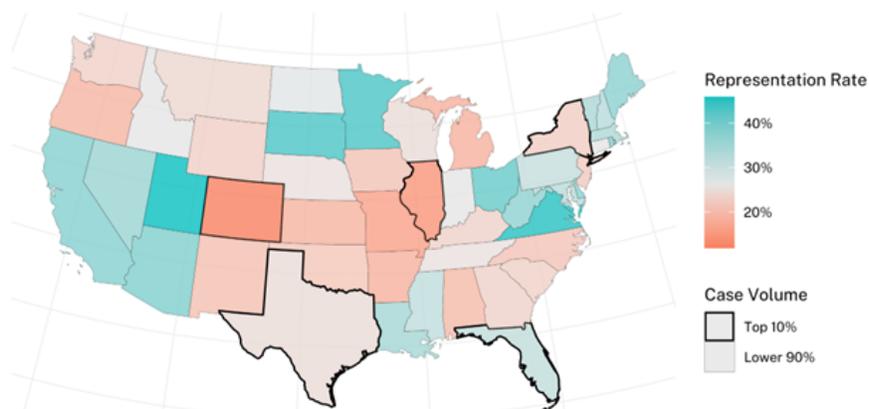
Note: Unrepresented cases include both those that have not yet been represented (pending cases) and those that were never represented.

Geographic Variation in Representation

This section compares representation rates and counts for people facing deportation in immigration court by the U.S. state where they reside.

The states with the largest number of Venezuelans facing deportation in immigration court included Texas, Florida, Illinois, New York, and Colorado (dark outline; also see Figure 8).

Figure 7. Venezuelan Representation Rate by U.S. State of Residence
 NTA Calendar Year 2017 - 2025



Median Representation Rate (Venezuelans in All States) = 19.90%

Median State Caseload = 1,327

Texas, Florida, Illinois, New York, and Colorado accounted for 57% of all removal cases that began between 2017 and 2025 (see Figure 8).

Figure 8. Percent of Total Cases and Representation Rate for Venezuelan Nationals
NTA Calendar Year 2017 - 2025 (Five States with Largest Caseloads)

