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President

AMERICAN BAR ASSOCIATION

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The Honorable Michael Mukasey
Attorney General
U.S. Department of Justice
940 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

In re: *Matter of Compean* (A78-566-977) (BIA May 20, 2008), *Matter of Bangaly* (A78-555-848) (BIA Mar. 7, 2008), and *Matter of J-E-C-M* (A79-506-797/798/799/800) (BIA Apr. 8, 2008)

Dear Mr. Attorney General:

On August 25, I wrote to inform you that the American Bar Association was strongly considering filing an amicus brief in the above-captioned cases in response to your invitation, and to request an extension of the filing date until November 15. On September 8, you granted an extension, but only until October 6, which unfortunately was not sufficient to allow us to complete the drafting and the rigorous internal review process we follow in submitting amicus briefs.

While we were thus unable to participate in these cases, I want to make clear that the American Bar Association considers the right to effective assistance of counsel in immigration matters to be of the utmost importance.

Immigrants, refugees and asylum seekers often are unfamiliar with our language, culture, and legal system, and as a result are especially vulnerable to being deceived by persons who are not authorized to practice law, or harmed as a result of mistakes by attorneys who lack sufficient familiarity with our nation's complex immigration laws. These problems are compounded by the grave consequences that can result when applicants make errors in the process, and by the very limited means that currently exist to correct erroneous decisions.

For these reasons, we strongly support efforts, including those undertaken by the Department of Justice, to ensure that immigrants are afforded access to competent representation and that their substantive and procedural rights are not prejudiced by the unauthorized practice of law or ineffective assistance of counsel.

Thank you for considering our views.

Sincerely,



H. Thomas Wells, Jr.
President