

## S 3108

Fair Day in Court for Kids Act of 2021

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Immigration

**Introduced:** Oct 28, 2021

**Current Status:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S7463) (Oct 28, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/3108>

### Sponsor

---

**Name:** Sen. Hirono, Mazie K. [D-HI]

**Party:** Democratic • **State:** HI • **Chamber:** Senate

Cosponsors (30 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bennet, Michael F. [D-CO]	D · CO		Oct 28, 2021
Sen. Blumenthal, Richard [D-CT]	D · CT		Oct 28, 2021
Sen. Booker, Cory A. [D-NJ]	D · NJ		Oct 28, 2021
Sen. Coons, Christopher A. [D-DE]	D · DE		Oct 28, 2021
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Oct 28, 2021
Sen. Durbin, Richard J. [D-IL]	D · IL		Oct 28, 2021
Sen. Feinstein, Dianne [D-CA]	D · CA		Oct 28, 2021
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Oct 28, 2021
Sen. Heinrich, Martin [D-NM]	D · NM		Oct 28, 2021
Sen. Hickenlooper, John W. [D-CO]	D · CO		Oct 28, 2021
Sen. Klobuchar, Amy [D-MN]	D · MN		Oct 28, 2021
Sen. Leahy, Patrick J. [D-VT]	D · VT		Oct 28, 2021
Sen. Markey, Edward J. [D-MA]	D · MA		Oct 28, 2021
Sen. Menendez, Robert [D-NJ]	D · NJ		Oct 28, 2021
Sen. Merkley, Jeff [D-OR]	D · OR		Oct 28, 2021
Sen. Murphy, Christopher [D-CT]	D · CT		Oct 28, 2021
Sen. Padilla, Alex [D-CA]	D · CA		Oct 28, 2021
Sen. Reed, Jack [D-RI]	D · RI		Oct 28, 2021
Sen. Rosen, Jacky [D-NV]	D · NV		Oct 28, 2021
Sen. Sanders, Bernard [I-VT]	I · VT		Oct 28, 2021
Sen. Schatz, Brian [D-HI]	D · HI		Oct 28, 2021
Sen. Smith, Tina [D-MN]	D · MN		Oct 28, 2021
Sen. Warren, Elizabeth [D-MA]	D · MA		Oct 28, 2021
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Oct 28, 2021
Sen. Wyden, Ron [D-OR]	D · OR		Oct 28, 2021
Sen. Lujan, Ben Ray [D-NM]	D · NM		Nov 3, 2021
Sen. Brown, Sherrod [D-OH]	D · OH		Nov 18, 2021
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Dec 15, 2021
Sen. Duckworth, Tammy [D-IL]	D · IL		Mar 8, 2022
Sen. Ossoff, Jon [D-GA]	D · GA		Mar 8, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Oct 28, 2021

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

## Fair Day in Court for Kids Act of 2021

This bill provides legal protections for a noncitizen (i.e., an individual referred to as an *alien* in federal law) who is detained or subject to immigration-related proceedings.

The Department of Justice (DOJ), or the Department of Health and Human Services (HHS) in a case involving an unaccompanied child, may appoint or provide counsel at the government's expense to noncitizens in removal proceedings and related appeals.

An unaccompanied child must be represented by counsel paid for and appointed by the government at every stage of such proceedings unless the child has obtained counsel at their own expense. If HHS fails to provide counsel to an unaccompanied child, the deadline for filing a motion to reopen a proceeding shall not apply, and the filing of such a motion shall stay the child's removal from the United States.

The Department of Homeland Security (DHS) must provide a complete copy of a noncitizen's immigration file to the noncitizen (or the noncitizen's counsel) within seven days of a notice to appear for an immigration proceeding, and failure to provide the file shall result in a delay in the proceeding.

DHS must provide access to counsel for all detained noncitizens.

The bill authorizes HHS to enter into contracts or award grants for providing immigration-related legal services to children. The Office of Refugee Resettlement must develop model guidelines for representing noncitizen children in immigration proceedings.

## Actions Timeline

---

- **Oct 28, 2021:** Introduced in Senate
- **Oct 28, 2021:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S7463)