

8 USC 1362: Right to counsel

Text contains those laws in effect on June 23, 2025

From Title 8-ALIENS AND NATIONALITY

CHAPTER 12-IMMIGRATION AND NATIONALITY

SUBCHAPTER II-IMMIGRATION

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§1362. Right to counsel

In any removal proceedings before an immigration judge and in any appeal proceedings before the Attorney General from any such removal proceedings, the person concerned shall have the privilege of being represented (at no expense to the Government) by such counsel, authorized to practice in such proceedings, as he shall choose.

(June 27, 1952, ch. 477, title II, ch. 9, §292, 66 Stat. 235 ; Pub. L. 104–208, div. C, title III, §§308(d)(4)(O), 371(b)(9), Sept. 30, 1996, 110 Stat. 3009–619 , 3009-645.)

EDITORIAL NOTES**AMENDMENTS**

1996-Pub. L. 104–208, §371(b)(9), substituted "an immigration judge" for "a special inquiry officer".

Pub. L. 104–208, §308(d)(4)(O), substituted "removal" for "exclusion or deportation" in two places.

STATUTORY NOTES AND RELATED SUBSIDIARIES**EFFECTIVE DATE OF 1996 AMENDMENT**

Amendment by section 308(d)(4)(O) of Pub. L. 104–208 effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, see section 309 of Pub. L. 104–208, set out as a note under section 1101 of this title.

Amendment by section 371(b)(9) of Pub. L. 104–208 effective Sept. 30, 1996, see section 371(d)(1) of Pub. L. 104–208, set out as a note under section 1101 of this title.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.