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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

***New Lawsuit Challenges Federal Government's Unconstitutional Civil Penalty Scheme That Fines Immigrant Families Up to \$1.8 Million***

***Complaint Asserts the Government Is Issuing Massive Fines Without Notice, Evidence, Or A Chance to Contest Them***

(BOSTON, MA) — Today, **Public Justice**, **The Legal Aid Society**, the **Refugee and Immigrant Center for Education and Legal Services (RAICES)**, the **NYU Immigrant Rights Clinic**, **Free Migration Project**, and **Covington & Burling LLP** [filed](#) a federal class action [lawsuit](#) on behalf of two immigrants facing ruinous civil fines of up to \$1.8 million, and on behalf of the **Immigrant Legal Resource Center (ILRC)**. The case seeks to represent a nationwide class of more than 21,500 people who have been issued these fines since January 2025, for a total amount in excess of \$6 billion.

Earlier this year, the Trump Administration revived a long-dormant provision of immigration law to issue fines of up to \$998 per day, resulting in penalty notices that often exceed \$1.8 million per person. These fines have been imposed on individuals who are lawfully applying for immigration relief, such as adjustment of status, complying with ICE under orders of supervision, or unable to safely return to their home country.

Individual plaintiffs — Maria L. of Massachusetts and Nancy M. of Florida — both face enormous penalties despite following the law, maintaining contact with immigration officials, and actively pursuing formal relief that would allow them to remain in the United States.

Organizational plaintiff ILRC, a national nonprofit that educates communities and legal advocates on immigration law, joined the lawsuit because the government enacted the new penalty system without public notice or the opportunity for organizations like ILRC to meaningfully participate in the required rulemaking process.

The lawsuit was filed in the United States District Court for the District of Massachusetts against the Department of Homeland Security, Immigration and Customs Enforcement (ICE), and the Department of Justice for imposing unprecedented civil penalties on immigrants who remain in the U.S. while seeking lawful ways to stay with their families.

"This is just another example of the Administration weaponizing the law to intimidate and harass immigrant communities," said **Charles Moore, Senior Attorney from Public Justice**. "If the Administration is going to impose these fines that no other President has ever pursued, it at least has to follow the law and respect the Constitution. That isn't happening, and that is why we brought this lawsuit."

"These fines are designed to terrorize families," said **Hasan Shafiqullah, Supervising Attorney in the Civil Law Reform Unit at The Legal Aid Society**. "The people we serve are doing exactly what the law requires — pursuing legal relief through immigration courts and immigration agencies. In return, the government is threatening to seize their wages, cars, even their homes."

"Let's be abundantly clear about the purpose of these fines: it's about punishing people and families who are exercising their legal and human right to seek protection from harm in this country," said **Javier Hidalgo, Legal Director at RAICES**. "This administration is finding every which way to dehumanize, criminalize, and harm those that it has deemed "less than" to coerce them into giving up the legal protections afforded to them by our Constitution. RAICES will hold this administration accountable for its unlawful actions because an infringement on the rights of others threatens our own."

"We are proud to fight alongside the immigrants who have received these fines to end this unprecedented policy and ensure that all communities can live without the fear of intimidation," said **Ximena Valdarrago, student in the New York University School of Law Immigrant Rights Clinic**. "The Trump Administration has once again chosen to waste government resources in pursuit of cruelty, imposing and enforcing cartoonishly large fines on people who are simply trying to build a better life in this country—this cannot stand," said Ajay A.V. Singh, another law student at the New York University School of Law Immigrant Rights Clinic.

"This abusive collection scheme is part of the Trump administration's racist project to ethnically cleanse this country," said **David Bennion, Executive Director of Free Migration Project**. "Working people already under daily threat from ICE are getting collection bills for millions of dollars intended to push them out of the country. This must stop."

The lawsuit seeks to vacate the rule that authorizes the mass issuance of civil fines, declare the penalties unlawful and unconstitutional, and permanently enjoin the government from assessing or collecting them.

The complaint argues that the government's civil penalty scheme violates multiple constitutional and statutory protections: the Fifth Amendment's Due Process Clause, because the government issues fines without fair notice, without evidence, and without any meaningful opportunity to challenge them; the Eighth Amendment's Excessive Fines Clause, because penalties reaching nearly \$2 million are grossly disproportionate and financially ruinous; and the Seventh Amendment right to a jury trial, because the government imposes monetary penalties through internal agency proceedings instead of a court. The lawsuit further asserts that the rule violates the Administrative Procedure Act, because it was issued without the required notice-and-comment process and is arbitrary and capricious.

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For nearly 150 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*

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*RAICES, formally known as the Refugee and Immigrant Center for Education and Legal Services, is a 501(c)3 nonprofit organization. Headquartered in Texas and with national reach, RAICES promotes migrant justice by providing legal services, social services case management, and rights advocacy for immigrant, refugee, and asylum-seeking people and families. Learn more at [raicetexas.org](http://raicetexas.org) and follow us on [Instagram](https://www.instagram.com/raices).*

*Free Migration Project, a nonprofit based in Philadelphia, PA, works at the intersection of law and community organizing to promote freedom of movement as a basic human right. We provide legal services to immigrants,*

*educate the public, litigate in the public interest, and advocate for fair and open immigration laws.*