

# Arlington immigration court cases being scheduled as far as out as 2024

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**ARLINGTON, Va.** - Kamal Nawash is an immigration attorney who reached out to FOX 5 about a disturbing trend he has noticed in the scheduling of deportation cases in Arlington Immigration Court.

"I was in immigration court at the beginning of the year and I was trying to set a trial for one of my cases and usually they give us trials that are eight months or six months out - at most a year out," Nawash said. "But this time, I received a trial date that is eight years out and I thought it was clearly a typo, a mistake. And when I asked, they said, 'No, this is exactly right. We're undermanned and we cannot give you a faster trial date.'"

After requesting information from the U.S. Department of Justice through the Freedom of Information Act about hearing dates scheduled in Arlington Immigration Court, we uncovered that what Nawash experienced is not unusual. There are thousands of hearings scheduled past 2016 and 2017, and some even all the way out to 2024.

A person placed into removal proceedings maintains their current immigration status until final adjudication of the immigration proceedings. If that individual is authorized to work, he or she maintains that authorization.

If it is a temporary authorization, they can work until that expires or until their court date, whichever comes first. And if that individual does not have authorization to work, they are not granted any status to work, even if there is a

multi-year delay in their court date scheduling.

The Executive Office for Immigration Review (EOIR) would not agree to an on-camera interview, but Kathryn Mattingly, the assistant press secretary for the office, answered our questions by email. She explained that cases are prioritized based on several criteria, including those who are unaccompanied children and recent border crossers. Non-priority cases and non-detained cases are scheduled further out.

When asked if EOIR considers these delays problematic, she responded, in part, saying "immigration judges must give due time and attention to each case before them. They cannot rush through hearings simply to reduce the wait time for pending cases."

Mattingly further explained that the number of judges with EOIR is at an all-time high of 277 immigration judges, and that 100 more immigration judge candidates are at various stages of the hiring process. This would ideally reduce the pending caseload and wait times we have uncovered.