



THE MONITOR

EDITORIAL: Fill needed immigration judge slots

THE McAllen TX MONITOR EDITORIAL BOARD

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Once again, we praise Democratic U.S. Rep. Henry Cuellar, of Laredo, who announced Thursday he has helped to secure federal funds to add 65 more immigration judges and courts.

For years, Cuellar, who sits on the powerful House Appropriations Committee, has been credited with incrementally securing more resources to increase the number of U.S. immigration judges. Sometimes he has been able to get money to add 10 more judges, as he did in May under the fiscal 2017 Omnibus Appropriations bill. In fiscal 2016, he secured money for 55 more judges (and their staff.)

With the latest additional funds —

\$64.5 million over current levels — that could bring the total of U.S. immigration judges to 449. But we aren't holding our breath that this many will actually take the bench anytime soon. Because, unfortunately, despite Cuellar's best efforts — and that of the House Appropriations Committee — the hiring and placement of these judges and their staff seems to be woefully slow, and in some cases nonexistent.

And that's frustrating because as our national leaders espouse immigration reform, perhaps the single-biggest way to do so would be to clear the estimated 542,000 backlogged federal immigration cases. And the only way to do that is to fill the benches and move the case files.

If we sound impatient it's because we are.

We've written this editorial several times before, dating back to 2014. And it's because, for whatever reasons — difficulty relocating or hiring new judges, or acquiring courtroom space or hiring staff — the total number of judges never matches the total funds that Congress puts toward this important task. Yet it absolutely should.

As President Donald Trump has said, immigration reform is a priority. Then so should be the hiring of new immigration judges.

As of May, there were 318 sitting immigration judges in 58 courts nationwide — far short of the 384 judges that Congress had allocated money for. The advocacy group Human Rights First predicted in March that the courts would need about 520 judges to eliminate the backlog.

The Executive Office of Immigration Review oversees federal immigration courts and the hiring of judges.

In a Feb. 20 memo, Homeland Security Secretary John Kelly said that long delays in immigration court hearings were “unacceptable” and allow “removable aliens with no plausible claim for relief to remain unlawfully in the United States for many years.”

The next month, the Justice Department announced it was developing plans to temporarily reassign immigration judges from around the country to 12 cities to speed up deportations of illegal immigrants who have been charged with crimes. Harlingen was included in these cities, along with: El Paso; Imperial, California; New York; Los Angeles; Miami; New Orleans; San Francisco; Baltimore; Omaha, Nebraska; Phoenix and Bloomington, Minnesota.

“Over half a million people are currently waiting in limbo to have their immigration cases adjudicated,” Cuellar said Thursday. “Getting this backlog resolved and allowing people quick resolution of their cases should appeal to everyone, no matter how you feel about immigration policy.”

We fully agree. Getting immigration courts up to speed and not burdening other local courts to take on these cases — as often happens here in the Rio Grande Valley — is a necessary step to reforming immigration in our country.

We must be proactive, not reactive, by having the necessary court staff on hand to tackle the cases and to decide who stays and who leaves our borders.

This would reduce detention fee, as well, as thousands of immigrants are held indefinitely waiting for their day in court in costly U.S.-paid centers. And this is a safety issue, as many more are released with the promise to appear later in court.

Cuellar’s bill, which applies to fiscal 2018, sets a goal for immigration cases to be processed within 60 days for all those detained; and within one year for those who are not. The current median length for these cases is 71 days and 665 days respectively.

As Cuellar said: “Having more judges at the border will help treat immigrants more fairly, and keep our country safer.”

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