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Even More Immigration Judges are Reassigned in Trump's Border Crackdown



Attorney General Jeff Sessions after touring the U.S.-Mexico border in April, when he announced the government would send more judges to the border to speed deportations
(Ross D. Franklin / AP Photo)

Jul 20, 2017 · by [Beth Fertig](#)

In its crackdown on illegal immigration, the Trump administration is moving an increasing number of immigration judges closer to the border with Mexico. The practice is so widespread that half of New York City's 30 immigration judges have been temporarily reassigned for two-to-four weeks at a time between early April and July.

The judges have been sent to hear deportation cases in Louisiana, California, New Mexico and Texas, along with Elizabeth, New Jersey, where there's a detention center. In June, [WNYC reported](#) that at least eight of New York City's immigration judges have been temporarily moved to Texas and Louisiana since March. New information obtained from a Freedom of Information Act request revealed the number to be much higher.

All this reshuffling causes cases to get delayed for months. And New York City's immigration court already has a backlog of more than 80,000 cases. People wait an average of more than two years go to court to fight against deportation. Some might welcome a prolonged wait. But immigration lawyer Edain Butterfield said her clients get

anxious because they're ready to make their case, when they suddenly learn their judge has had to postpone.

"They don't know if their judge is going to stay on their case," she said. "They sometimes have to get new documents, ask for another day off from work, ask their family to take another day off from work."

David Wilkins, an attorney with Central American Legal Assistance in Brooklyn, said he's representing a woman seeking asylum whose hearing was recently postponed almost a year — until the summer of 2018. He said she left her children in her home country back in 2012 because of domestic abuse. "It's extremely difficult for her," he said. "She's been separated from her family for so long to sort of live with the constant uncertainty of not knowing what's going to happen with her immigration proceeding."

Judges from New York City aren't the only ones being moved. According to the latest data obtained by WNYC, 128 of the nation's approximately 325 immigration judges have been shuffled to other locations between early April and the middle of July. Many of those judges come from Los Angeles, Chicago and San Francisco. These assignments, known as details, last for two or four weeks. Some judges have been shifted around multiple times.

The data does not include all judges assigned to hear cases in other locations by video teleconference. A couple of judges in New York City were seeing cases by video at a Texas detention center in May and June.

The reassignments are expected to continue until early 2018, but the Executive Office for Immigration Review, which runs the immigration courts, would not reveal the schedule beyond July.

In April, Attorney General Jeff Sessions announced that all adults crossing the Mexican border would be sent to detention. To support the mission, he said, the Department of Justice had "already surged 25 immigration judges to detention centers along the border."

Dana Lee Marks, president of the National Association of Immigration Judges, said her union remains very concerned about the situation.

"The temporary assignment of judges to border courts creates increasing backlogs in the dockets they leave behind in their home courts and may not be conducive to the overall reduction of our burgeoning caseload."

Nationally, the backlog has surged to more than 600,000 cases and observers believe that number is growing partly because of the Trump administration's immigration policies.

Moving judges south might sound counterintuitive because illegal border crossings have actually dropped since President Trump took office. But Bryan Johnson, an immigration lawyer on Long Island, has a theory about why more judges are needed down south.

"The people that are deported will be deported in less time," he explained. "And that is the message they want to send people in the home countries from where the migrants come from."

There is no guaranteed right to counsel in immigration court, and experts said there are few low-cost immigration attorneys near the border — making it even easier to swiftly deport someone because they are not likely to have representation.

The Executive Office for Immigration Review did not respond to a request for comment. However, the agency has said it is hiring more judges.

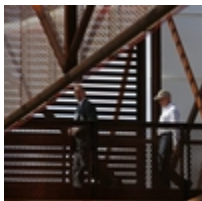
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