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EOIR Adds 9 Immigration Judges To Help Ease Backlog

By Nicole Narea

Law360, New York (August 15, 2017, 9:54 PM EDT) -- The Executive Office for Immigration Review recently appointed nine immigration judges at courts across the country as part of the Trump administration's hiring push to process the more than 600,000 cases in the courts' backlog, the agency said Monday.

The new hires, sworn in on Friday, increased the number of immigration judges to 334, still shy of the office's newly authorized 384 threshold. They exhibited "appropriate temperament"; immigration law expertise; experience in litigation, complicated legal matters and conducting administrative hearings; and knowledge of court procedures, the agency said.

The judges are Katherine L. Hansen in Bloomington, Minnesota; Jose A. Sanchez in Boston; Christopher R. Seppanen in Cleveland; Charlotte D. Brown in Harlingen, Texas; Charles R. Conroy and Maria E. Navarro in New York City; Charles M. McCullough in San Antonio; and Patrick S. O'Brien and Joseph Y. Park in San Francisco.

The National Association of Immigration Judges' president, Judge Dana Leigh Marks, told Law360 on Tuesday that the group is "very pleased that the pace of hiring immigration judges has increased lately."

"We continue to be in need of resources to obtain much needed support staff, including legal assistants and judicial law clerks, so that judges can focus on their dockets," she added.

The immigration case backlog stood at 610,524 at the end of June, up from 598,943 a month earlier, with California and Texas each contributing more than 100,000 cases, according to a **report from the Transactional Records Access Clearinghouse** at Syracuse University.

In May, the White House proposed tackling the backlog by hiring 75 more immigration judges and about 375 additional immigration-related employees. The director of the EOIR, James McHenry, said in June after he hired 11 immigration judges that he intended to "maximiz[e] the use and effectiveness of current adjudicatory capacity" as well as identify ways to "enhance immigration judge productivity without compromising due process."

Judge Marks noted that retirement rates of immigration judges also pose a challenge to managing the pressures of an overwhelming caseload, citing a June report from the Government Accountability Office that 39 percent of the immigration judge corps was eligible to retire.

"We fear that experienced judges will retire at the earliest possible opportunity, which would result in a devastating loss of expertise and much needed wo/manpower to address our recalcitrant backlog," she said.

In California, the state most burdened with caseload, the EOIR appointed O'Brien, who most recently served as assistant chief counsel for Immigration and Customs Enforcement in San Francisco for eight years, as well as Park, who held the same position for 14 years.

And in Texas, which had 100,510 cases pending as of June 30, the EOIR hired Brown, who served as a North Carolina state court judge for seven years, and McCullough, a 26-year veteran hearings judge on the Washington State Board of Industrial Insurance Appeals.

The judges appointed Friday will start hearing cases this month. The EOIR on Monday also announced the appointment of two supervisory immigration judges, Daniel Weiss and Clay Martin, in Dallas and San Antonio to help mitigate judges' workload.

The EOIR hired 55 new immigration judges during fiscal year 2016.

--Editing by Aaron Pelc.

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