

December 14, 2020

The Honorable Zoe Lofgren
Chairwoman, Committee on the Judiciary
Subcommittee on Immigration and Citizenship
6320 O'Neill House Office Building
Washington, DC 20515

Dear Chairwoman Lofgren:

We are writing to express our continued strong support for the creation of an Article I immigration court in the next Congress. Almost a year has passed since the Subcommittee on Immigration and Citizenship held its hearing, *The Courts in Crisis: The State of Judicial Independence and Due Process in U.S. Immigration Courts*, on January 29, 2020.

As you are aware, that hearing highlighted the many flaws in the structure of the immigration courts and the need for the creation of an Article I immigration court. Housing the immigration court in the Department of Justice, a law enforcement agency, is an inherent flaw that should be remedied. Then President of the American Bar Association, Judy Perry Martinez, concluded her hearing statement with the following that perfectly captures the need for an Article I court: “The core principle of any fair adjudication system must be that independent and impartial judges decide cases on the merits, evaluating the facts and the law in each case, after a hearing that fully comports with due process. The current immigration court system fails to meet those goals in many respects. It is time for Congress to establish a truly independent Article I court.”

In the time since the hearing the administration has implemented binding policy memorandums and regulations which have further eroded judicial decisional independence and neutrality. These actions have undermined the integrity of the court system and the public's confidence in the immigration court process.

Recognizing the urgency of reforming the immigration court system, it is even more important to build support for the creation of an Article I immigration court within Congress, the incoming Biden administration and the public. To that end we respectfully request that you introduce legislation creating an Article I immigration court before the end of the 116th Congress or at the beginning of the 117th Congress.

Sincerely,

National Association of Immigration Judges
Federal Bar Association
American Immigration Lawyers Association

Advocate Visitors with Immigrants in Detention

African Services Committee

Aldea - The People's Justice Center

Alianza Nacional de Campesinas

Alliance for Justice

Alliance of Rhode Island Southeast Asians for Education (ARISE)

America's Voice

American Civil Liberties Union of Arizona

American Federation of Labor and Congress of Industrial Organizations (AFL–CIO)

American Immigration Council

Americans for Immigrant Justice

ASISTA

AsylumWorks

Bellevue Program for Survivors of Torture

Black Alliance for Just Immigration (BAJI)

Brooklyn Law School Safe Harbor Project

CAIR California

Cardozo School of Law, Immigration Justice Clinic

Catholic Charities NY

Catholic Legal Services, Archdiocese of Miami

Catholic Migration Services, Inc.

Center for Gender & Refugee Studies

Center for Victims of Torture

Center Global, a program of the DC Center for the LGBT Community

Central American Resource Center- CARECEN- of California

Chicago Religious Leadership Network on Latin America

Church World Service

Coalition for Humane Immigrant Rights (CHIRLA)

Colorado Asylum Center

Community Legal Services in East Palo Alto

Department for Professional Employees, AFL-CIO

Detroit Mercy Law Immigration Clinic

Disciples Immigration Legal Counsel

Emerald Isle Immigration Center

Esperanza Immigrant Rights Project

Florence Immigrant & Refugee Rights Project

Former Immigration Judge and Board Member Roundtable

Friends Committee on National Legislation

Haitian Bridge Alliance

HIAS

HIAS Pennsylvania

Hispanic Lawyers Association of Louisiana, Board

Human Rights First

Human Rights Initiative of North Texas

Human Rights Watch

Immigrant and Non-Citizen Rights Clinic, CUNY School of Law

Immigrant Justice Corps

Immigrant Legal Advocacy Project

Immigrant Legal Defense

Immigrant Legal Resource Center

Immigrants' Rights Clinic, Columbia Law School

Immigration Equality

Immigration Experts for a Progressive Judiciary Committee

Immigration Justice Clinic of John Jay Legal Services, Inc.

Immigrationcourtside.com Blog

Institute for Justice & Democracy in Haiti (IJDH)

International Federation of Professional and Technical Engineers

International Refugee Assistance Project

International Rescue Committee

Jewish Council for Public Affairs

Kids in Need of Defense

Lawyers for Good Government (LAGG)

Lawyers' Committee for Civil Rights of the San Francisco Bay Area

Leadership Conference of Civil and Human Rights

Louisiana Advocates for Immigrants in Detention

Loyola New Orleans College of Law Stuart H. Smith Law Clinic and Center for Social Justice

Maine Business Immigration Coalition

Migrant Center for Human Rights

Minnesota Interfaith Coalition on Immigration (ICOM)

Mississippi Center for Justice

Monroe County National Organization for Women

National Immigrant Justice Center (NIJC)

National Immigration Forum

National Immigration Law Center

National Network for Immigrant & Refugee Rights

Neighbors Link Community Law Practice

New Mexico Immigrant Law Center

New Sanctuary Coalition

New York City Bar Association

New York Immigration Coalition

New York Law School

New York Legal Assistance Group (NYLAG)

Niskanen Center

Northeast Justice Center

Northwest Immigrant Rights Project

Physicians for Human Rights

Poder Latinx

Political Asylum Immigration Representation (PAIR) Project

Project Blueprint

Project On Government Oversight

Public Counsel

Rapid Defense Network

*Refugee and Immigrant Center for Education and Legal Services
(RAICES)*

Refugees International

Rocky Mountain Immigrant Advocacy Network

Round Table of Former Immigration Judges

Safe Horizon

San Antonio Region Justice For Our Neighbors

Sanctuary for Families

Santa Clara University School of Law

Santa Fe Dreamers Project

Southeast Asia Resource Action Center

Southwest Asylum & Migration Institute "SAMI"

SPLC Action Fund

Tahirih Justice Center

Taos Immigrant Allies

*TASSC (Torture Abolition & Survivors' Support Coalition)
International*

Tennessee Justice for Our Neighbors

The Advocates for Human Rights

The Door's Legal Services Center

The Legal Aid Society (New York)

UC Berkeley

Unitarian Universalist Service Committee

United Stateless

United We Dream

University of Maryland Carey Immigration Clinic

University of the District of Columbia Law School Immigration and Human Rights Clinic

Vietnamese American Organization

Volunteer Legal Services Project, Inc.

Washington Office on Latin America

Wind of the Spirit Immigrant Resource Center

Witness at the Border