



Report estimates more than 42,000 immigration hearings canceled due to shutdown



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Central American immigrant families depart ICE custody, pending future immigration court hearings on June 11, 2018 in McAllen, Texas. Thousands of undocumented immigrants continue to cross into the U.S., despite the Trump administration's recent "zero tolerance" approach to immigration policy. (Photo by John Moore/Getty Images) **(CNN)**

More than 40,000 immigration hearings have been canceled because of the partial government shutdown, according to a report released Monday.

Syracuse University's Transactional Records Access Clearinghouse, which tracks immigration court data, [released a report](#) showing that an estimated 42,726 immigration court hearings had been canceled as a result of the shutdown. The estimate is based on the number of hearings that were scheduled, dating to November 30.

It's not an official statistic. But the report is the first detailed analysis that reveals the potential implications of the shutdown for an immigration court system that's already facing a crushing backlog.

Susan Long, a co-director of the clearinghouse, said researchers had arrived at the estimate by tallying scheduled cases recorded in official government data obtained through Freedom of Information Act requests.

CNN couldn't independently confirm the estimate. Officials from the Executive Office for Immigration Review, the branch of the Justice Department that runs US immigration courts, could not be immediately reached for comment. Many judges and office employees have been furloughed as a result of the partial government shutdown.

An official from the Executive Office for Immigration Review told CNN earlier this month that thousands of cases had already been postponed because of the shutdown.

The figures the clearinghouse released are in line with what immigration attorneys and judges say they're seeing.

"We do think every day cases are being canceled. We're looking at several thousand a day," said Judge Ashley Tabaddor, the president of the National Association of Immigration Judges. The clearinghouse's figure "is consistent with our estimates. I don't know the exact number but it's definitely in the ballpark." Last week, [Tabaddor sent a letter to Congress](#) detailing the issues facing the courts.

Immigration courts that handle non-detained dockets -- the cases of people who are not in immigration detention -- are closed as a result of the shutdown. According to the Transactional Records Access Clearinghouse, more than 800,000 cases were pending in immigration courts before the shutdown. And this isn't going to help matters, Long said.

The Executive Office for Immigration Review released guidance in December that noted that "cases will be reset for a later date after funding resumes."

Immigration judges who work with non-detained cases will likely return to overbooked dockets and a slew of cases to reschedule. For those waiting to have their cases resolved, that'll likely mean even more years of wait and uncertainty.

Detained dockets are to continue as planned. The clearinghouse's estimate excluded hearings that were scheduled in detention facilities.

The shutdown runs counter to the Trump administration's goal of bulking up the number of immigration judges in order to cut down the backlog. [A letter provided to](#)

[Congress](#) earlier this month from the Office of Management and Budget outlining President Donald Trump's priorities to reopen the government included the addition of immigration judges.

Prior to the shutdown, the immigration court backlog had been gradually increasing. Pressing pause on the non-detained docket is likely to exacerbate the issue.

"Many of the courts, prior to the shutdown, were scheduling individual merit cases two or three years out," said Laura Lynch, senior policy counsel at the American Immigration Lawyers Association. "As soon as the court reopens, it won't be put on the calendar until there's a date available, likely two to three years."

CNN's Geneva Sands contributed to this report.

<https://www.cnn.com/2019/01/14/politics/immigration-court-cancellations-shutdown/index.html>