

CHARLES S. CLARK | SEPTEMBER 21, 2018 | [49 COMMENTS](#)

Immigration Judges' Union Leader Warns of 'Dark New Era'



Ashley Tabaddor, president of the National Association of Immigration Judges, speaks at the National Press Club on Friday. SUSAN WALSH/AP

In a rare public speech at the National Press Club in Washington on Friday, the union president for the Justice Department's immigration judges slammed Attorney General Jeff Sessions' plan to impose quotas and deadlines on immigration courts to address the backlog that has risen to 750,000 cases.

Los-Angeles-based Judge Ashley Tabaddor, president of the National Association of Immigration Judges, predicted "a dark new era" when the Trump administration's new policy kicks in on Oct. 1. She was speaking on her own and not on behalf of the Justice Department.

The **"performance measure" policy** of requiring all the current roster of 400 judges to process 700 cases a year and complete 95 percent within the initial hearing relies on "artificial numbers" that are "not only insulting but a direct contradiction of what it means to be judge," Tabaddor said.

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As her group has said **for months**, judges who handle complicated life-or-death cases affecting documented immigrants worry that a "rushed process can impede fairness of hearings."

Citing “unprecedented” new pressures on the system from Sessions’ “zero tolerance” crackdown on illegal border crossers, she said judges won’t react positively to a push based on demands by the attorney general with an “emphasis solely on efficiency rather than on due process.”

The judges also reject the “one size fits all” yearly quota, she said, noting that some dockets have more juveniles and non-English-speakers before the judge. Her own backlog of some 2,000 cases contrasts with some jurisdictions where there are only a few per day, or the court in Baltimore with a backlog of 5,000 cases, she added.

Tabaddor predicted the policy would prompt judges “to keep track of every minute instead of using their time and mental energy on their docket because they’re scared of losing their jobs.” There seems to be an assumption that judges aren’t productive, she added. “No one is sitting in courtroom twiddling their thumbs,” she said.

The association has been meeting with Justice managers during collective bargaining, pressing them for an explanation of how the quota numbers were determined. But all they received as an answer, she said, was that it was for “policy reasons” and “expeditious handling.”

Though her group welcomes the administration’s [addition of new judges](#), the current arrangement “suffers from the flaw of being housed in the Justice Department, headed by the top federal prosecutor,” she said.

The real solution is independence “from all political input” by creating an “Article 1” immigration court, or legislative court, like others with a specialty separate from the main federal court system, the association argues. “There’s a lot of interest on Capitol Hill,” Tabaddor said, and a House bill is coming soon.

Such a change would be “easy logistically,” she said. “Just remove the letterhead and remove top management.”

Asked whether she had met with Sessions, Tabaddor said she had not, but would welcome the opportunity.

The Justice Department did not respond to a *Government Executive* request for comment by publication time.

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