

# Justice Department moves to potentially decertify immigration judges' union

[Matt Zapotosky](#)



The Justice Department moved Friday to potentially decertify the union that represents federal immigration judges, a spokesman said, a maneuver that could silence an organization that has been critical of some aspects of the Trump administration's overhaul of immigration enforcement.

The department filed a petition asking the U.S. Federal Labor Relations Authority to examine whether it should revoke the certification of the National Association of Immigration Judges because, a Justice Department

spokesman said, its members are “management officials” under the law.

Judge Ashley Tabaddor, the association’s president, said she thinks the petition’s intent is to “disband and destroy the union,” which has publicly pushed for judges to have more independence and sparred with the Justice Department over a quota system it imposed.

“It’s designed to take full control of judges without having a balancing force or a balancing voice,” Tabaddor said.

Immigration judges, who decide deportation and other-immigration related cases, are somewhat unusual in that they are not part of the judicial branch; rather, they are Justice Department employees. Like other Justice Department employees, they are generally prohibited from talking publicly — except that their union can advocate for them.

Tabaddor, for example, was skeptical last year of the administration’s effort [to pressure judges to process cases faster](#) by implementing a quota system tied to their performance reviews, saying the directive “could call into question the integrity and impartiality of the court if a judge’s decision is influenced by factors outside the facts of the case.” The union has also [advocated for judges to be independent of the attorney general](#).

Tabaddor disputed that immigration judges could be considered management and thus not eligible to unionize.

“We don’t even have the authority to order the procurement of pencils,” she said.

The Justice Department’s filing will spark the opening of a case, and attorneys with the Federal Labor Relations Authority will probably then conduct an investigation, a Justice Department spokesman said, and the timing of the process varies significantly from case to case.