

# Lawyers say recommended fixes to immigration courts going unheeded by Trump admin



FILE: The Los Angeles immigration courts have the most pending cases in California.  
*Dorian Merina / KPCC*

[Leslie Berestein Rojas](#) | April 23, 2018

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Immigration attorneys say a 2017 federal report calling for improvements to the immigration court system has been ignored by the Trump administration.

Instead, the U.S. Department of Justice recommended changes that include [case quotas](#) for immigration judges, which the attorneys contend could threaten due process rights.

California has the most [pending immigration cases](#) in the United States, more than 130,000, and Los Angeles has 68,000 cases awaiting resolution — the most in the state. So changes to the immigration courts would have an impact close to home.

The immigration lawyers' group says the report that was obtained through the Freedom of Information Act lays out a list of recommendations. The group says these options are better solutions for a more efficient court system than the changes called for by the Justice Department.

The department directed immigration judges to meet annual quotas to win a satisfactory job rating. Judges would need to complete at least 700 immigration cases a year.

**“These changes have ignored the findings of the report and, in some critical areas, they have moved in the exact opposite direction,” said Benjamin Johnson, executive director of the American Immigration Lawyers’ Association.**

**The partially redacted report obtained by the AILA and the American Immigration Council was commissioned by the Executive Office for Immigration Review, which oversees the immigration courts. Booz Allen Hamilton, a consulting firm, wrote the document.**

**Quotas for judges has proven the most controversial of the Justice Department changes.**

**"We fully believe that this will increase the backlog and cause greater delays in the system," said Judge Dana Leigh Marks, an immigration judge in San Francisco and president emeritus of the National Association of Immigration Judges, the judges' union.**

**"Judges are going to be spending time out of court, instead of working on cases, explaining to their supervisors what they did and why they did it."**

**But not everyone minds the quotas.**

**“I don’t see it being an impediment to due process. The important thing is to identify best practices,” said Andrew Arthur, a fellow with the Center for Immigration Studies that favors tighter immigration rules.**

**As a former immigration judge, Arthur says he would have no problem completing 700 cases a year.**

**By contrast, one of the report's recommendations calls for "performance reviews in line with a judicial performance review model that emphasizes process over outcomes and places high priority on judicial integrity and independence."**

**The report also says immigrants representing themselves face difficulty "and may contribute to delays in court processing." It suggested expanding "know-your-rights" and legal representation programs.**

**One "know-your-rights" program mentioned in the report, which provides information about the immigration legal system for detainees, is being temporarily suspended by the Trump administration.**

**Administration officials have said they want to reduce the backlog in the nation's busy immigration courts, where more than 690,000 cases are pending.**

**The complete [report is on the AILA website](#).**

**<https://www.scpr.org/news/2018/04/23/82499/lawyers-say-recommended-fixes-to-immigration-court/>**