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**Statement by Ashley Tabaddor, President  
National Association of Immigration Judges  
on  
INDEPENDENT STUDY OF IMMIGRATION COURTS  
TO IMPROVE COURT PRODUCTIVITY IS  
ALIGNED WITH NAIJ RECOMMENDATIONS**

*A report made public today after a FOIA request by the American Immigration Lawyers Association (AILA) has revealed that an independent study conducted for the DOJ by consulting firm, Booz Allen Hamilton confirms suspicions that DOJ is ignoring sage independent advice on how to improve the functioning of the Immigration Courts. The previously unreleased study supports the conclusions of the NAIJ, the American Bar Association, AILA and all other well-respected legal organizations that Immigration Judge quotas and deadlines will eliminate judicial independence and lead to further backlogs. Statement by National Association of Immigration Judges President Ashley Tabaddor follows:*

“Despite repeated requests by the National Association of Immigration Judges, the Booz Allen Hamilton report has not been seen until today. The report supports many of the positions our organization has advocated for including the protection of due process, judicial independence, greater resources and efficiencies in the Immigration Court.

The NAIJ is disappointed that DOJ is failing to follow the report's well thought out recommendations that would result in significant improvements in the speed and quality of jurisprudence without interfering with an Immigration Judge's independence. DOJ's single-minded march towards faster production harms the integrity of the Court and the due process of all who appear. The report's findings also support the recommendations of the American Bar Association, AILA and many other respected legal organizations in opposition to the imposition of production quotas on judges that call into question the independence of judges and undermine the integrity of the Court.

Furthermore, DOJ's indefensible decision to halt the Legal Orientation Program, which the report said should be expanded to secure greater efficiencies and due process in the Court, is also troubling."

More information can be found at the American Immigration Lawyers Association website at: [www.aila.org](http://www.aila.org). Report highlights include:

- ***The report recommends a judicial performance review model that emphasizes fair process and judicial independence - not individual judge quotas and deadlines. Performance reviews should be in line with a judicial performance review model that "emphasizes process over outcomes and places high priority on judicial integrity and independence." (Pg. 21).***
- ***Better access to attorneys is a solution to delays and inefficiencies in court processing. The report explains that "pro se respondents often face difficulty representing themselves and may contribute to delays in court processing." To overcome delays in court processing, DOJ should "consider expanding know your rights and legal representation programs, such as the Legal Orientation Program." (Pg. 24).***

- ***IJs are not able to “fully deliberate complicated issues that arise in a case” and should have a greater ability to issue written decisions so that the reasoning in the decision is clear and the appeal process is fair. (Pg. 25). Further, EOIR should “ensure IJs have sufficient time to conduct legal research, administrative activities, and trainings.” (Pg. 24).***
- ***The report recommends creating a transparent and independent IJ complaint process- The current complaint process against IJs is opaque in its process, creates conflicts in its administration and does not comport with due process. The report recommends that EOIR “create independent body within EOIR composed of individuals with diverse background outside the chain of command between ACIJs and IJs that would be responsible for [investigating and addressing all complaints regarding] conduct and professionalism.” (Pg. 20)***
- ***The report identifies administrative closure as a helpful process that could be used to close cases awaiting adjudication in other agencies or courts. (Pg. 26).***

Judge Ashley Tabaddor, who was appointed to the U.S. Immigration Court by then-Attorney General Alberto Gonzalez in 2005, has been quoted in [The Washington Post](#) and [The Wall Street Journal](#), on [National Public Radio](#) and in other news organization to explain why a rigid quota system will be counterproductive.

The NAIJ, founded in 1971, is a voluntary organization formed with the objectives of promoting independence and enhancing the professionalism, dignity, and efficiency of the Immigration Court. The views expressed here do not necessarily represent the official position of the United States Department of Justice, the Attorney General, or the Executive Office for Immigration Review. The views represent NAIJ’s position, which were formed after extensive consultation with the membership of NAIJ.

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