



Stuck in Limbo: How the Government Shutdown is Affecting Immigration Courts

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Immigration courts backlogged by years of staffing shortages and tougher enforcement face an even more daunting challenge since tens of thousands of Central Americans began arriving on the border.

(AP Photo/Eric Gay, Pool, File)

As the third week of the federal government shutdown continues, workers throughout the U.S. are feeling the effects.

As [Amanda Terkel](#), Washington D.C. Bureau Chief for HuffPost explains, there is no meeting scheduled between the White House and Congressional members. Terkel tells The Takeaway that there will continue to be pressure on the top layers of the federal government in order to ramp the government back up. And as rent is due, tax season approaches and fridges empty out,

federal workers will need their paycheck to continue with their day-to-day lives.

But government employees are not the only ones affected by the shutdown. For thousands of immigrants and asylum seekers awaiting their day in court, the shutdown has presented yet another obstacle. Hearings that were scheduled to take place over the past two weeks have been postponed indefinitely leaving many people in limbo and adding the already extensive backlog of cases.

Gagi Otiasvili is one of them.

After the collapse of the Soviet Union in 1991, the Eastern European country of Georgia gained its independence. But tensions between Russia and Georgia ran high. Otiasvili worked for the Georgian government at the time, placing him at odds with the post-Soviet Russian government.

"What happened, Russia bombed my house one time," Otiasvili tells The Takeaway. "They attacked several times my country."

In August of 2001, Otiasvili fled Georgia, arrived in New York and applied for asylum — the legal process for migrants fleeing for their lives.

He married a U.S. citizen and built his life in the U.S. All the while, waiting in limbo, eager for his day to stand before a federal immigration judge. After 17 years of a future suspended in the murky world of immigration proceedings, Otiasvili received notice that his final hearing would come on Jan. 2, 2019. His years-long process would finally come to an end.

But then, the government shut down. His January 2nd hearing was canceled, forcing him to wait.

Ashley Tabaddor, President of the National Association of Immigration Judges, joined The Takeaway to describe the backlog of cases that may not help Otiasvili's situation.

"So we now have about 60 courts across the country and about 400 immigration judges, but our backlog is well over 800,000 cases and growing,"

Tabaddor says. "If you count the cases that the Attorney General and his recent decision that stated that he wanted to put back on the docket, that would put us at 1.1 million cases."

Of the nearly one-million cases that are currently in the backlog, a large majority are for migrants not currently detained. Many have followed all the laws and are awaiting a decision from a judge.

"For the non-detained docket, all those cases have been canceled [as a result of the government shutdown]," Tabaddor says. "So every day, thousands and thousands of cases that had previously been scheduled are not being heard."

For people like Otiasvili, that means his case could now end up at the back of the line.

"When a case is not heard, when you have something like this shutdown and the cases are being canceled, it isn't like you can just turn around and roll over 4,000 cases and tell everyone magically to show up two or three weeks later. No," Tabaddor says. "You have to now find a place for the cases that were not heard, which means it's likely going to go to the back of the docket, so those individuals are going to have two or three or much longer periods of delay. Or you're going to have to bump other cases."

So as the long, complex process continues to stall, we hear some context from **Greg Chen**. He's the Director of Government Relations for the American Immigration Lawyers Association. Chen explains how the government shutdown is affecting migrants going through this process and immigration attorneys, on the frontlines of this fight.

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