

# Clogged docket

A comprehensive immigration bill would add more judges to immigration courts.

Copyright 2015: Houston Chronicle | April 23, 2015



Photo By Jerry Lara/Staff

In Texas, most are aware of the recent surge of women and children at the border - a peak of 137,000 "family units" last year. (San Antonio Express-News)

Inadequate resources for the U.S. immigration court system are a national problem. A snapshot of this can be seen right here in Harris County, where a person seeking asylum or some other consideration from an immigration court might receive a court date four years in the future.

Here's why that's troubling.

Immigrants who have the strongest claims to reside in our country - they might be victims of government persecution or domestic violence, for instance - are often unnecessarily thrown into limbo as their case lingers. Working or any other life pursuit becomes fraught with uncertainty. Witnesses needed to support their claims may disappear. Conversely, petitioners with weak claims end up with extended time to prepare and even if unsuccessful, the judicial delays can result in protracted stays on U.S. soil.

The conversation about immigration reform typically gets stuck in the rhetoric of border security. Interior enforcement might get a cameo mention. Rarely discussed is the immigration court

system, which operates outside the auspices of [U.S. Immigration and Customs Enforcement](#). Its purpose, primarily hearing appeals from immigrants seeking relief from deportation, also is little understood as part of the fabric of an effective immigration policy.

In the past decade, funding for immigration adjudications went up 70 percent while allocations for frontline enforcement operations increased 300 percent, according to information recently compiled by the [Migration Policy Institute](#). The underfunding of adjudication has more than doubled the average processing time for noncitizens to move through the court system. It's gone from 250 days to more than 511 days.

In Texas, most are aware of the recent surge of women and children at the border - a peak of 137,000 "family units" last year. Migrants travel from Central America to the U.S. primarily to escape violence, to seek economic opportunity and to reconnect with family members already living in the U.S. But anecdotal evidence also links this recent surge to the backlog in our immigration courts.

Residents of Central America may have misinterpreted the long court delays as "*permisos*" or ongoing legal authority to live in the United States, according to the Migration Policy Institute. Migrant smugglers have supported this view with intentional misinformation campaigns.

It's typical for these children and families arriving at the U.S. border to present themselves to the first [Border Patrol](#) agent they encounter. There's no evidence of any recent increase in children and families trying to circumvent U.S. border enforcement. This means that a quicker judicial turnaround must be part of any solution.

The [Texas Senate](#) on Monday approved an omnibus bill that would give several agencies major new powers and funding to beef up border security along the Texas-Mexico border.

Increased border enforcement alone will not fix this complex problem. Congress needs to pass a comprehensive immigration bill that includes more funding for our immigration court system.

Houston Chronicle | P.O. Box 4260 Houston, Texas 77210-4260

<http://www.chron.com/opinion/editorials/article/Clogged-docket-6220355.php>

© Copyright 2015 Hearst Newspapers, LLC