

HOUSTON CHRONICLE

Wait times: Congress can fix immigration courts with proper funding.

By Editorial Board
March 21, 2016

A government line that takes years to reach the front represents an epic systemic failure. That's what we have in the immigration courts in Houston and in many parts of this country.

The backlog in Houston's downtown immigration court ballooned by more than 460 percent between 2010 and 2016 - from 6,423 to 36,136 pending cases, ("Houston Immigration court overwhelmed" Page A3, March 16).

With only six immigration judges on the bench, Houston's court could see its case load double again in three years if no more are added, according to a recent report by Human Rights First, a national nonprofit.

This backlog hurts almost everyone. It hurts the immigrants and asylum-seekers with just causes who want their affairs settled so that they can proceed with their lives and reunite with families. It places a crippling work load on immigration judges. It undermines the pro bono system; many lawyers want to donate their time to help clients who can't afford their services, but few lawyers are able to make a five-year commitment to a nonpaying client. Meanwhile, those with the weakest claims get a protracted stay in our country. Our politicians like to brag about how good they are at rounding up immigrants at the borders. But by failing to fix the courts, they are giving some people with no right to be here what amounts to an extended temporary visa.

The crisis escalated in 2014 when more than 67,000 unaccompanied Central American children and families flooded across the Texas border. The Obama administration directed the courts to give these cases priority, in part to send a clear message to their home countries that these immigrants would not be allowed to stay here easily. But that prioritization increased the wait times for other cases.

In Texas, immigrants and asylum-seekers must now wait on average a staggering amount of time: more than 1,700 days - nearly five years - to get a hearing and have their cases resolved, according to the report.

The problem is not that the judges are not working hard. The problem is that our funding of the immigration system is out of sync. Funding for the courts has languished while funding

for the agencies charged with immigration enforcement has skyrocketed. The courts received about \$304 million in 2013, compared to \$18 billion for the arresting agencies. Budget writers in Congress are in the process of examining funding for the immigration court system next year. More and more people are coming into the system. To break the bottleneck, lawmakers need to look at the whole picture, not just the borders, and support additional immigration judges and support staff for 2017.