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human rights *first*
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NATIONAL
IMMIGRANT
JUSTICE CENTER
A HEARTLAND ALLIANCE PROGRAM

Immigration Court Reform

Twitterstorm Social Media Toolkit

Introduction:

Our immigration courts are in desperate need of reform. The current system suffers from a crushing case backlog, politicized hiring, and undue political influence, among other issues. The immigration courts are housed within the Department of Justice (DOJ), meaning immigration judges are under the control of the Attorney General (AG). The AG has used his authority to undermine our asylum system and strip immigration judges of key docket management tools, robbing them of their judicial independence and curtailing due process. The system simply cannot guarantee a fair day in court.

A perfect example of the systemic dysfunction is the tent courts at the border. Asylum seekers subject to Remain In Mexico, also known as the “Migrant Protection Protocols,” are sent to tent courts in Laredo and Brownsville, Texas where their hearings are conducted via video teleconference. No judge is present in the actual rooms where the hearings take place and the small percentage of asylum seekers who have an attorney have limited time for consultation. These issues, along with the limited public access to these hearings, raise serious due process concerns.

For these reasons and more, AILA, the National Immigrant Justice Center (NIJC), Human Rights First, the National Association of Immigration Judges (NAIJ), the American Bar Association (ABA), the Federal Bar Association (FBA), and others have called for immigration court reform so that everyone has a fair day in court.

Date and Time of Twitterstorm:

*Please join us for a Twitterstorm on **February 19 at 3 pm EST** to tell Congress why we need immigration court reform now!*

Primary Hashtag:

#JudicialIndependence

Secondary Hashtags:

#ProtectDueProcess

#EndAssemblyLineJustice

#ImmigrationCourtReformNow

#CourtsInCrisis
#RestoreAsylumNow

Resources:

- [AILA Calls for Independent Immigration Courts](#)
- [AILA Featured Issue page: Immigration Courts](#)
- [AILA Policy Brief: Restoring Integrity and Independence to America's Immigration Courts](#)
- [AILA Policy Brief: Facts About the State of Our Nation's Immigration Courts](#)
- [Searching for Fairness and Transparency -- A Firsthand Look at the Port Courts in Laredo and Brownsville](#)
- [AILA Policy Brief: Questions Remain After AILA Joins Laredo Tent Court Tour](#)
- [NIJC issue page: Immigration Court Independence](#)
- [NIJC policy brief: The Weaponization of the Immigration Court System](#)



Flaws in the Court System

Unlike other judicial bodies, the immigration courts lack meaningful independence from the Executive Branch. The Executive Office for Immigration Review (EOIR), which manages the immigration court system, is part of the DOJ. @DOJ_EOIR #JudicialIndependence #ProtectDueProcess

Due process rights & #JudicialIndependence must be paramount in immigration court, where judges adjudicate asylum requests for those who fear life-threatening harm & discretionary relief requests that could subject American families to permanent separation. #ProtectDueProcess

Immigration cases are heard in a broken court system described by Dana Leigh Marks of @Imm_Judges_NAIJ as "death penalty cases in a traffic court setting." Here's what we need to do to fix it. #JudicialIndependence #ImmigrationCourtReformNow

<https://immigrantjustice.org/research-items/policy-brief-weaponization-immigration-court-system>

“vulnerable people seeking asylum in the US depend on a functioning court system to protect them from persecution, torture & death. Yet, in the immigration courts, the tradition of #JudicialIndependence has been turned upside down.”@splcenter @ThinkLawLab
<http://ow.ly/TiZc30qhxhu>

Attacks on the Integrity of the Court System

Due process & #JudicialIndependence should never be sacrificed in the name of political expediency. Read the letter @AILANational, @NIJC, @humanrights1st and others sent calling for the establishment of an independent immigration court. <http://ow.ly/mV3730qiMW5>

Through extreme administrative overreach, the immigration courts are turning into an assembly-line system that prevents judges from exercising #JudicialIndependence and robs immigrants of the due process they deserve. #EndAssemblyLineJustice
<https://www.aila.org/dueprocess>

Politicized hiring practices, attempts to decertify @Imm_Judges_NAIJ, and the imposition of case completion quotas are just a few ways the administration has wreaked havoc on our immigration court system. #JudicialIndependence <https://www.aila.org/immigrationcourts>

The Attorney General has abused his authority to essentially rewrite asylum law. His decisions have prevented vulnerable individuals from accessing the protection they need.
#JudicialIndependence <http://ow.ly/Yk6230ggH4z>

Our court system only works on a level playing field. Stacking the deck against asylum seekers with case completion quotas for judges is having a real and lasting negative impact on our judicial system. #JudicialIndependence #ProtectDueProcess

Immigration courts need reform.@NIJC @AILANational @humanrights1st & others voiced concerns in a 2017 testimony to Congress abt harmful policies like quotas for IJs, crippling case backlog & due process violations. #ProtectDueProcess #JudicialIndependence
https://immigrantjustice.org/sites/default/files/content-type/issue/documents/2017-10/HouseJudiciaryCttee_%20EOIR_oversight_hearing-MultiOrg_stmt_2017_11_01_FINAL.pdf

Tent Courts

The video teleconferencing technology used at the tent courts prevents asylum seekers from having direct access to an immigration judge and sows confusion. #JudicialIndependence #ProtectDueProcess <http://ow.ly/BMkt30qgStc>

Certain policies have made it extremely difficult for asylum seekers to get their #FairDayInCourt. We cannot allow the administration to continue to rubber-stamp deportation for those seeking protection. #JudicialIndependence #RestoreAsylumNow <https://www.aila.org/dueprocess>

"I don't know any other word to describe this other than a sham." @NIJC attorney @A_Huebner told @BuzzFeedNews about her experience with tent court hearings in Laredo. #JudicialIndependence #RestoreAsylumNow #ProtectDueProcess <https://www.buzzfeednews.com/article/adolfoflores/tent-court-hearings-asylum-seekers-public-denied-access>

- No pre-hearing meetings with clients
- No interpreters or legal assistants
- No guarantee of entry
- No clarity

The tent courts are blocking immigrants' access to counsel. End the tent courts.

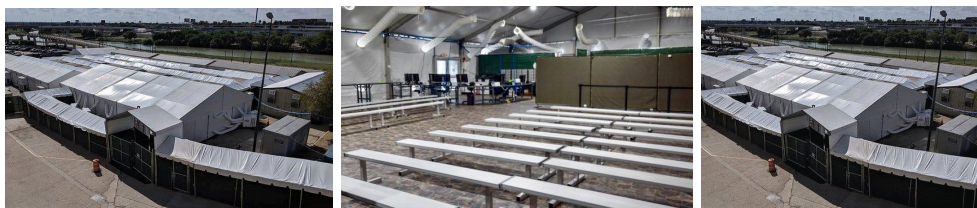
#ProtectDueProcess #RestoreAsylumNow #JudicialIndependence <https://www.nbcnews.com/news/latino/new-border-tent-courts-create-faux-process-asylum-seekers-attorneys-n1053196>

"This is clearly an effort to foreclose asylum." @NIJC attorney @Ikkoop on how border tent courts are impeding access to counsel. We must #ProtectDueProcess from threatening policies & #RestoreAsylumNow. #JudicialIndependence <https://www.npr.org/2019/09/18/761831619/tent-courts-for-migrant-asylum-seekers-described-as-disorganized>

Want to see what's happening in the secret tent courts on the border? @Vets4AmerIdeals visited and saw serious abuses to the system. #ProtectDueProcess #RestoreAsylumNow #JudicialIndependence <http://ow.ly/j2gD30qhLME>

Tent courts are secretive and dangerous to migrants. The facts say it all. The system is sending migrants back to danger and without real due process.#RestoreAsylumNow. #JudicialIndependence <http://bit.ly/2OSPBXj>

These tent courts are a dystopian nightmare. They dehumanize asylum seekers and traumatize those seeking freedom from persecution. #RestoreAsylumNow #JudicialIndependence



Calling for Reform

[Insert handle for Member of Congress]: It's time to put an end to assembly line justice by making the immigration courts independent of the @TheJusticeDept! @DOJ_EOIR #JudicialIndependence #EndAssemblyLineJustice <https://www.aila.org/dueprocess>

I stand with @AILANational, @humanrights1st, and @NIJC in their call for #immigration court reform. We need #JudicialIndependence NOW! <https://www.aila.org/takeaction#/46>

As long as the immigration courts are housed within @TheJusticeDept, immigration judges will not be able to administer cases in a fair and just manner. Join me in urging Congress to establish an independent immigration court. #JudicialIndependence <https://www.aila.org/takeaction#/46>