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# New Policy Memo Appears Designed to Collapse Board of Immigration Appeals

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**WASHINGTON, DC** – Today, the American Immigration Lawyers Association (AILA) reviewed and analyzed [the recent policy memo](#) impacting the workings of the Board of Immigration Appeals (BIA) which serves as the appellate arm of the immigration courts within the Department of Justice (DOJ).

Jeremy McKinney, Second Vice President of AILA noted, “This memo offers significant areas of concern. An earlier rule issued in August describing the reorganization of the Executive Office for Immigration Review (EOIR) at DOJ [delegates authority from the Attorney General to the EOIR director](#) to adjudicate cases ‘that cannot be completed in a timely fashion.’ As a political appointee and not an immigration judge, the director should not have that power. This memo goes even further and pressures BIA members to speed up adjudications without care for due process. Frankly, this latest memo only underscores the need for an independent immigration court to get these proceedings out from under the thumb of the nation’s prosecutor.”

Benjamin Johnson, AILA Executive Director stated, “The purported reasoning behind this memo is that BIA adjudication rates have stalled. What did they expect the appellate situation would look like when immigration enforcement was ramped up and targeted people with longstanding ties to their communities

and potential equities in immigration cases? It was inevitable that the appeals caseload would increase. This memo actually urges BIA adjudicators to dismiss appeals, before a transcript of the original hearing is even reviewed. The result of this policy change will be even more federal court litigation as people seek to get their fair day in court. Everything about this system is incongruent with an independent decision-making body.”

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