**U.S. Department of Justice**

**Executive Office for Immigration Review**

***Office of the Chief Immigration Judge***

*5107 Leesburg Pike, Suite 2500*
*Falls Church, Virginia 22041*

April 26, 2002

**MEMORANDUM**

**TO:** All Immigration Judges
All Court Administrators

**FROM:** The Office of the Chief Immigration Judge

**SUBJECT:** Case Completion Goals

As you are aware, on January 11, 2001, Director Kevin D. Rooney established Case Completion Goals for the Immigration Courts and the Board of Immigration Appeals. Prior to that, I shared the goals that had been proposed by the Director's Office and requested your input on the reasonableness of the proposed goals. In his January 11th memorandum the Director also requested that the Office of the Chief Immigration Judge (OCIJ) submit plans on how the goals were to be implemented.

OCIJ expressed confidence that the goals established by the Director could be met; however, we explained that drafting these plans would require further input from the Immigration Courts. Proposed plans, based upon existing resources, and ideal resources, were solicited and received from each court. Following the January 2002 Court Administrator's Conference, each court was asked to update its plans.

Based on those updated plans, I am implementing the goals established by the Director as of May 1, 2002. However, OCIJ has requested that the Director roll back the goals to the level he established for FY 2001, to be applicable throughout FY 2003. Please realize that the goals for Expedited Asylum, the Institutional Hearing Program, Credible Fear, Claimed Status, and Detained Cases without applications for relief have been in effect for several years. It is also important to remember that these goals are for the whole court, not just the Immigration Judges (IJs). Timely calendaring of the case for the initial hearing, proper allocation of Immigration Judge resources, and prompt responses to caseload increases due to unforeseen crises, are as

important in reaching these goals as timely adjudication by the IJ.

At the Immigration Judge Conference in June there will be two workshops devoted to achieving the Case Completion Goals. One will cover a vastly enhanced IJ Reports Menu and the second involves a discussion of ideas on how the goals can be met. The Department of Justice (DOJ) budget is now a performance-based process and timely adjudication of cases at the Executive Office for Immigration Review is part of the DOJ's Strategic Plan. I am confident that the Immigration Court will be successful in attaining and maintaining DOJ's expectations.

Michael J. Creppy
Chief Immigration Judge

Attachments

# IMMIGRATION COURT
# CASE COMPLETION GOALS

January 2001

| TYPE OF CASE (All numbers in the chart are from the 3-yr period of FY 1998-FY 2000; total IJ completions for that period were 761,075.) | ESTABLISHED GOAL | CURRENT COMPLETION RATE | STRATEGIC PLANNING GOAL |
|---|---|---|---|
| **GOALS ESTABLISHED BY LAW:** | | | |
| Credible Fear<br><br>.05% of total completions 399 cases (FY 98-00) | 7 Days Established by statute | 70% completed within goal | In FY 2001, 100% of these cases will be completed within seven days. |
| Expedited Asylum Applications<br><br>3.27% of total completions 24,897 cases (FY 98-00)<br><br>4.45% of total completions 33,874 cases (FY98-00) | 180 days Established by statute and regulation | 92% of defensive claims completed within goal<br><br>88% of affirmative claims completed within goal | In FY 2001, 90% of all expedited applications will be completed within 180 days. |

| TYPE OF CASE (All numbers in the chart are from the 3-yr period of FY 1998-FY 2000; total IJ completions for that period were 761,075.) | ESTABLISHED GOAL | CURRENT COMPLETION RATE | STRATEGIC PLANNING GOAL |
|---|---|---|---|
| **Goals Established by EOIR Policy:** | | | |
| Claimed Status Review<br><br>.05% of total completions<br>404 cases (FY 98-00) | 7 days Established by EOIR Policy | 69% completed within goal | In FY 2001, 70% of these cases will be completed within 7 days; in FY 2002, 80% will be completed in 7 days; and in FY 2003, 90% will be completed in 7 days in all courts. |
| Detained without Applications for Relief<br><br>21.46% of total completions<br>163,289 cases (FY 98-00) | 30 days Established by EOIR Policy | 86% completed within goal | In FY 2001, 90% of these cases will be completed within 30 days in all courts. |
| Detained with Applications for Relief, other than Expedited Asylum Applications<br><br>.69% of total completions<br>43,017 cases (FY 98-00) | 90 days Established by EOIR Policy | 60% completed within goal | In FY 2001, 70% of these cases will be completed within 90 days at all courts; in FY 2002, 75% of the cases will be completed within 90 days at all courts; in FY 2003, 80% of cases will be completed in 90 days at all courts; and in FY 2004, 90% of cases will be completed in 90 days at all courts. |

| TYPE OF CASE (All numbers in the chart are from the 3-yr period of FY 1998-FY 2000; total IJ completions for that period were 761,075.) | ESTABLISHED GOAL | CURRENT COMPLETION RATE | STRATEGIC PLANNING GOAL |
|---|---|---|---|
| Institutional Hearing Program (IHP)<br><br>5.65% of total completions 43,017 cases (FY 98-00) | Prior to release; Established by EOIR, INS and BOP Policy | 90% completed within goal | 90% of IHP cases completed prior to release. |
| Non-Detained with Applications for Relief, other than Expedited Asylum Applications<br><br>20.2% of total completions 153,713 cases (FY 98-00) | 240 days Established by EOIR Policy | 42% completed within goal | In FY 2001, 60% of cases will be completed within 240 days; in FY 2002, 80% of cases will be completed within 240 days; and by FY 2003, 90% of cases will be completed within 240 days in all courts. |
| Non-Detained without Applications for Relief<br><br>28.85% of total completions 219,568 cases (FY 98-00) | 240 days Established by EOIR Policy | 85% completed within goal | In FY 2001, 90% of cases will be completed within 240 days at all courts. |

| TYPE OF CASE (All numbers in the chart are from the 3-yr period of FY 1998-FY 2000; total IJ completions for that period were 761,075.) | ESTABLISHED GOAL | CURRENT COMPLETION RATE | STRATEGIC PLANNING GOAL |
|---|---|---|---|
| Motions to Reopen or Reconsider<br><br>4.53% of total completions<br>34,472 cases (FY 98-00) | 60 days Established by EOIR Policy | 65% completed within goal | In FY 2001, 70% of the motions will be completed within 60 days for all courts; in FY 2002, 80% of the motions will be completed within 60 days; in FY 2003, 90% of the motions will be completed within 60 days for all courts. |
| Custody Hearings<br><br>10.78% of total completions<br>82,029 cases (FY 98-00) | 3 days Established by EOIR Policy | 43% completed within goal | In FY 2001, 100% of the custody hearings will be completed within three days. |
| Recissions<br><br>.02% of total completions<br>184 cases (FY 98-00) | 240 days Established by EOIR Policy | (Accurate data is not available due to software errors in this case type.) | (Pending accurate data.) |