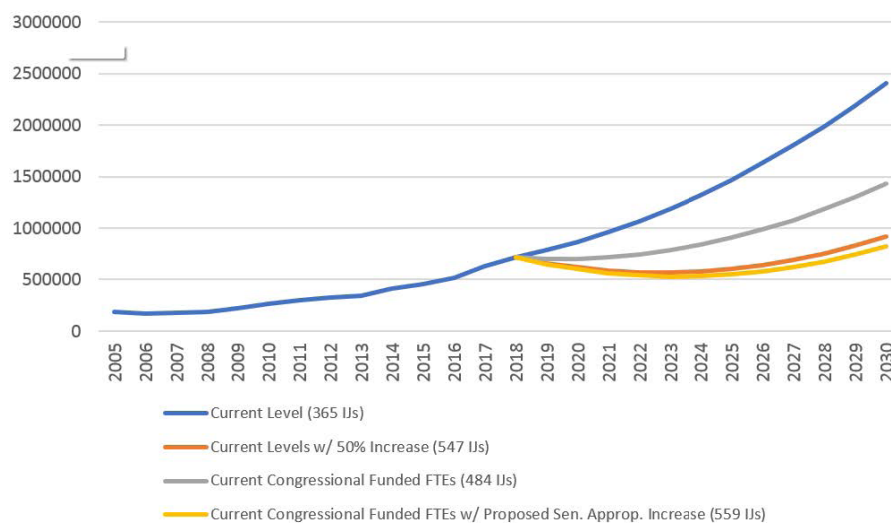# Why Hiring More Judges Would Reduce the Immigration Court Backlog

Over the last two years, Congress has appropriated funds to hire more immigration judges to reduce the existing backlog of cases in the immigration court system. Bipartisan Policy Center (BPC) projections find that adding a minimum of 182 judges to the existing cadre of 365 judges would significantly decrease this backlog. The Department of Justice has stated that it will hire 50 percent more judges, which would increase the immigration judiciary from 365 judges to 547. As of October 2018, Congress has appropriated funding to hire 484 judges and is considering allotting an additional 75 judges in the Fiscal Year 2019 budget.

BPC reviewed the potential impact on the backlog and its future growth of Attorney General Session's plan as well as hiring immigration judges to different congressional funding levels.

- As Figure 1 shows, the Department of Justice's plan to increase the immigration judiciary from 365 judges to 547 (Current Levels w/ 50% Increase) and funding an additional 75 judges (Current Congressional Funded FTEs w/ Proposed Sen. Appropriations increase) would significantly reduce the backlog by 2030. Hiring to the current congressional funded levels (Current Congressional Funded FTEs) would only decrease the backlog by 40 percent by 2030.

- If new judges are not hired now, the backlog will grow from 714,067 cases in 2018 to 2,403,233 in 2030, marking a 237 percent increase during this period.

- Hiring 238 additional immigration judges would cost approximately $259 million, which is 8.6 percent of the over $3 billion appropriation for ICE Custody Operations in FY2018. Hiring more judges and expediting cases in Immigration Court would decrease the average time in custody for immigrants.

Current Level (365 IJs)
Current Levels w/ 50% Increase (547 IJs)
Current Congressional Funded FTEs (484 IJs)
Current Congressional Funded FTEs w/ Proposed Sen. Approp. Increase (559 IJs)

Sources: DOJ (1) (2), GAO, Politico, U.S. Senate

This document reflects some of the key findings of the Bipartisan Policy Center's July 2018 article, *Why Hiring More Judges Would Reduce Immigration Court Backlogs*. To read the full paper and learn more about key issues in the immigration debate, please visit bipartisanpolicy.org/immigration.