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Time is on their side?
A duration analysis of U.S. immigration court decisions

Christopher Levesque
University of Minnesota

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Address correspondence to Christopher Levesque, Minnesota Population Center and Department of Sociology, The University of Minnesota, Social Sciences, 267 19th Ave S, Minneapolis, MN 55455, leves026@umn.edu. Acknowledgments: The author would like to extend gratitude towards Jack DeWaard, Elizabeth Heger Boyle, Linus Chan, Ingrid Eagly, Michelle Phelps, Lilly Yu, Christopher Uggen, Chenoa Flippen, and Isabel Arriagada for their helpful comments. This research was supported by the American Sociological Association's Doctoral Dissertation Research Improvement Grant (DDRIG), the University of Minnesota's Doctoral Dissertation Fellowship (DDF), as well as support from the Minnesota Population Center (P2CHD041023).

Abstract

The growing U.S. immigration court backlog and resulting slowdown in judicial decision-making raises fundamental questions about immigrants' access to justice, as well as their access to time during their deportation trial. Using administrative data for fiscal years (FYs) 2007 to 2019, I estimate the likelihood of U.S. immigration court decisions – relief, termination, removal (deportation) orders, and voluntary departure – based on the time length from case initiation to final decision. I measure (1) an immigrant respondent's daily probability of surviving each decision, and (2) how much longer a case would take if decision *i* is eliminated from possibility. I then provide detailed comparisons of survival and life expectancy by attorney representation, detention status, and New Hispanic destination. Results indicate clear disparities in adjudication times, particularly for removal decisions which typically occur faster compared to others, except when cases involve detained individuals. Further results show the salience of removal decisions, particularly for those without an attorney, in reducing a case's lifespan. These findings hold important implications for migration research in the U.S. today, showing the important role that time plays in studying immigration courts as contexts of reception as well as mechanisms of social stratification.

Keywords

Deportation, immigration detention, immigration court, New Hispanic destinations, attorney representation

Introduction

Immigration court is on the clock. As of April 2022, its backlog has exceeded 1.8 million pending cases, and non-citizens today typically wait about 2.2 years to receive a final decision from a judge (TRAC 2022). Trends indicate a strong likelihood that their decision will be a "removal order," a legal term of art that often results in the non-citizen respondent's deportation from the U.S. As this "adjudication slowdown" persists, immigrants and their families continue to wait on life-altering case outcomes without similar levels of legal and social support found in U.S. criminal court settings. Treated as civil matters of the law, immigration trials prosecute non-citizens for so-called immigration crimes, which can range from violent offenses to drug charges to tax fraud. This, coupled with the ongoing politicization and criminalization of immigrants in the U.S., has enlarged the court backlog to unsustainable levels of gridlock and delay.

In studying the U.S. immigration court system, it is important to emphasize the relevance of timing and timeliness regarding removal decisions. Specifically, it is crucial to outline how they relate to outcomes allowing one to stay in the U.S. (either by granting relief or terminating their case) or directing them to leave (either by ordering deportation or granting voluntary departure). Past research shows substantive differences in the timing and outcomes of immigration court decisions, both at the individual judge and court levels (Ramji-Nogales, Schoenholtz, and Schrag 2007). While the court process remains fluctuating and unpredictable, immigrant respondents, judges, and attorneys all recognize that extending one's time in court has the potential to hurt – or help – their case as it progresses (Farbman 2019).

Previous findings also suggest decisions tend to differ based on whether or not the respondent on trial has attorney representation (Eagly and Schafer 2015) and whether or not they are detained (Ryo 2016). Less explored are differences between courts in established and newer Hispanic destinations, where researchers have already noted key disparities in immigration enforcement (Marrow 2011; Schmalzbauer 2014), immigrant detention (Moinester 2018; Ryo and Peacock 2018) and immigrant health care access (Monnat 2017).

In this article, I ask: how long does it take for an immigration judge to decide to deport someone or allow them to stay in the U.S.? And as a follow-up: how does case completion time differ by attorney representation, detention status, and new Hispanic destination? Additionally, I consider how much longer a case would take if a given decision (relief, termination, removal order, voluntary departure) were eliminated from possibility, measuring the contribution of each decision type to overall case completion times.

First, I provide a background review of previous U.S. immigration court research, detailing how the backlog has exacerbated forms of social stratification based on the "haves" and "have nots" in the immigration court system. This carries over into discussing what obstacles detained respondents encounter as their case progresses. Within that discussion, I outline how immigration courts form "contexts of reception" by sorting through those deemed deportable and those who are not.

Second, using administrative data obtained via Freedom of Information Act (FOIA) requests, I rely on multiple-decrement and cause-deleted single-decrement approaches to study two

measures over time: 1) the likelihood of surviving a particular immigration court decision and remaining in trial, and 2) the life expectancy of a non-citizen respondent's case absent of a particular decision. Using both survival- and "cause-deleted"-based approaches, my analysis first covers all removal cases initiated between fiscal years (FYs) 2007 and 2019, and then breaks down results by salient comparison groups (attorney representation, detention status, and New Hispanic destination).

Third, I discuss findings which reveal that a large proportion of removal decisions typically occur much faster compared to other case outcomes by a difference of multiple years. However, that disparity disappears for detained individuals. In those instances, all decisions tend to happen relatively quickly. Further estimations show that by ignoring removal decisions as a case outcome (or "cause of death") while holding all other rates constant, a case's completion time (or "case-life expectancy") extends for a significantly longer amount of time. This means that removal decisions, particularly for those without an attorney, are chiefly responsible for more years of a case's lifespan lost than any other judicial decision. In conclusion, I discuss the implications of these results for future immigration policy and research.

Background

When a non-citizen respondent is charged of violating U.S. immigration law, they are typically summoned to appear in immigration court for their removal case. Upon the trial's completion, the judge decides if the respondent is removable (i.e., deportable) from the U.S. As depicted in Figure 1, judges primarily have four final decision options in removal hearings: (1) granting

relief, (2) terminating the case, (3) ordering removal, or (4) granting voluntary departure. *Relief* occurs when a judge is convinced that a respondent can change or retain their legal status in order to remain in the U.S. A respondent may apply for relief from removal (e.g., asylum, withholding of removal), which the judge then chooses to grant or deny. *Termination* happens when a judge dismisses a case if they deem a respondent's charges as substantively or procedurally unsound to continue trial. If a judge terminates the case, the respondent is no longer in removal proceedings and retains their legal status.

Removal orders occur when a judge decides that a respondent should be deported from the U.S. If they are unable to obtain an alternative outcome or pause trial, the judge will order them removed. *Voluntary departure* happens when the judge gives the respondent the option to depart the U.S. voluntarily within a strict timeline but without certain penalties attached. This is typically preferable to a removal order, which bars the respondent from reentering the U.S. for up to a decade.

-- INSERT FIGURE 1 ABOUT HERE --

From a case's beginning until end, there are generally three removal hearing types: master calendar, bond, and final merits hearings. Starting with a master calendar hearing (or hearings), the judge confers with both sides to determine a schedule for submitting evidence, as well as a date for the case's final hearing and testimony. If eligible, a detained respondent may also request a bond hearing where the judge determines whether the respondent is a "danger to society," a "flight risk," or a "threat to national security" (DOJ 2021). During the final merits

hearing, which lasts upwards of four hours, the judge makes their decision based on their evaluation of arguments and equities related to the case. Important to note is that judges may still make decisions that end cases before a merits hearing can occur, as demonstrated in Figure 1 (also see Eagly 2015:958). After a judge renders their decision, cases may still be sent on appeal to Board of Immigration Appeals (BIA) and sometimes further to the U.S. Circuit Court level. Most cases are remanded back down to the original judge where they reconsider and update their decision accordingly (GAO 2022).

Annually, the Department of Homeland Security (DHS) initiates a few hundred thousand removal cases with the U.S. immigration court system, run by the Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR). EOIR is made up of around 600 judges in 68 immigration courts across the country as of August 2022, with 26 court jurisdictions serving the lower 48 U.S. states (EOIR 2022). In total, there are approximately 180 active hearing locations between FYs 2007 and 2019 (TRAC 2022a), with some locations doubling as immigration detention facilities that employ visiting judges and/or remote court staff.

Despite its extensive reach, in the past decade the immigration caseload has grown immensely, with many cases still yet undecided. Today it is "on the brink of collapse" (ABA 2019). Figure 2 shows that the EOIR's growing backlog of incomplete cases continues to pile up at 1.8 million in total, as of April 2022 (TRAC 2022b). Also, the average case completion time for all cases (detained and non-detained) has risen from 413 days in FY 2007 to 934 days in FY 2021, dropping down to 829 days in FY 2022 (TRAC 2022b).

-- INSERT FIGURE 2 ABOUT HERE --

Immigration policies change with each political administration, but these backlog trends hold over time. Administrations in either political aisle prioritize immigration enforcement at the U.S. southern border and within the U.S. interior. Meanwhile, questions of quality have persisted since the modern-day immigration court system began in the early 1980s. Scholars, higher courts, and Congressional studies have historically criticized the quality of immigration court decisions, with one critique being that immigration adjudication had fallen "below the minimum standards of legal justice" (*Benslimane v. Gonzales*, 430 F.3d 828, 830 7th Cir. 2005). With the quantity of cases increasing, the recent adjudication slowdown has only exacerbated these quality issues, which relate back to studying the pace of litigation itself.

Justice delayed, justice denied?

Past research has wondered why cases finish more quickly in some courts than in others, and what specific factors determine the speed of proceedings. Their questions typically conceive court delay as an unconditional social harm – the premise that "justice delayed is justice denied" (Steelman 1997). This is because slow and ineffective resolutions rightfully create a sense of frustration, unfairness, and concern over the legitimacy of the legal system. After all, the right to a speedy trial is a basic constitutional right for U.S. citizens, as it ensures due process in a criminal court of law. However, this protection does not exist for non-citizens in immigration removal proceedings, which are civil, not criminal.

Within such a large-scale and time-consuming operation, EOIR's stated mission is "to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws" (EOIR 2022). In the past decade, they have recognized that many immigration courts are understaffed, backlogged, and inundated with complex matters of the law (GAO 2022). But given how the backlog continues to grow, are issues of delay truly solvable in the immigration court system as it currently functions?

Questions regarding the speed and pace of proceedings must take into account that delay is not always "solvable," but instead a safeguard towards due process. Past research in immigration law has shown that extended time can mean higher quality legal advocacy for the individual on trial, particularly in helping them apply for asylum. Though judges often deny asylum petitions, applying generally extends a respondent's removal case until the government grants or denies their asylum decision (Coutin 2003:16). These delays allow more time to find an attorney, locate crucial documents, and prepare written and oral testimonies. While added time may often limit justice, it can also more properly serve it in immigration court.

By focusing on time spent on a case, this article accounts for the fact that mechanisms of social stratification – the "who gets what and why" (Jasso 2011) – sort people into different categories from one immigration court to the next, despite EOIR's stated aims of fairness, speed, and uniformity. First, how non-citizens enter the immigration court system (i.e., whether or not they are detained) matters. Second, how they are able to navigate the system (i.e., with or without an attorney) is also important. Third and finally, entering and navigating this system also takes place within contexts that are broader than the immigration court system itself (i.e., whether their case

is heard in an Established or New Hispanic destination). I focus on immigration case completion time using these three comparisons of interest, which I explain below in further detail.

Access to attorney representation

One proposed solution for decreasing the backlog has been to increase attorney access for non-citizens (Doyle 2022; Vera Institute of Justice 2018). Prior studies suggest that at every stage of an immigration case from pre-trial to appeals, attorneys help respondents navigate the legal process more efficiently. Represented respondents seek fewer unmeritorious claims, have a greater chance of being released from detention, and, following their release, are more likely to appear at hearings in the future (Eagly and Shafer 2015). Having counsel also relates to detainees' shorter time to release on bond (Ryo and Peacock 2019:1259). Judges and other practitioners tend to agree that defense attorneys improve the efficiency of immigration courts (Benson and Wheeler 2012; BIA 2004, 2014; DOJ 2012).

Despite the positives, immigration attorney access remains extraordinarily low. Unlike a public defender system in criminal court, immigration court only guarantees the right to an attorney when it is *not* at the government's expense. As a result, the national average immigration court representation rate as of FY 2017 had been comparatively low at around 65%, and while this rate had risen considerably since FY 2005, overall rates of representation have remained fairly stagnant since FY 2013 (TRAC 2017).

There are two reasons that help explain this stagnation: first, both the pace and number of cases still continue to increase beyond each court's bandwidth (Eagly and Shafer 2015). Second, attorney burnout is quite high and as a result, respondents' ability to find competent, quality representation remains limited (Ryo 2018). This helps create a system of the "haves" and "have nots" in immigration court (Galanter 1974). Private and non-profit attorneys understand they have limited capacity to advise and represent all potential clients. This prompts an important question: how long do court decisions take, when comparing those with counsel to those without such support?

Along with greater access to legal knowledge, attorneys often provide respondents with greater access to time. Additionally, they provide access to "timeliness" – that is, attorneys act on their knowledge of when to file evidence, documents, and petitions by a given deadline to assist their client's case (Benson and Wheeler 2012). Compared to *pro se* respondents who represent themselves, those with counsel more effectively guide cases through as they are more likely to submit appropriate forms within specific timeframes and present stronger arguments for release (Ryo 2018). Filing applications and submitting documents can take weeks, months, even years to file and receive a decision, prolonging cases much more compared to the "have-nots" (Coutin 2003).

Detention status

A further indication of social stratification in U.S. immigration law is that respondents enter the court system through one of two tracks: outside of detention, or within detention. Both tracks

operate similarly in terms of court procedure, though serious disparities also exist. Importantly, detained individuals receive a decision much sooner than those not in custody, at 145 days (0.4 years) versus 850 days (2.32 years), respectively (TRAC 2022a).

Detained hearings move more quickly for a number of reasons. First, immigration law allows for swift removal of non-citizens based upon anti-drug and criminal justice legislation. The Anti-Drug and Abuse Act (ADAAA) of 1988 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA) expanded the range of removable offenses to include more felony and misdemeanor crimes. These measures, along with executive administrations enacting recent "zero-tolerance" policies, have allowed for higher rates of mandatory detention for non-citizens with low-level drug offenses (Hagan et. al 2010; DOJ 2018).

Second, detained respondents have limited access to attorneys. Comparisons show that in FYs 2007-2019, representation disparities exist by custody status: 20.74% for detained respondents, 68.83% for those released from detention, and 65.11% for those never detained (TRAC 2022a). For detained respondents, the trajectory of one's case strongly relates to having an attorney, increasing the likelihood of being granted bond by more than 3.5 times compared to those representing themselves (Ryo 2018). With that said, it is much more difficult for detained individuals to gather information about securing access to counsel with limited information resources behind bars (Schoenholtz and Bernstein 2008; Markowitz 2009).

Third, detention creates financial barriers for both the respondent and the government which encourage a speedy decision process. Along with the financial losses non-citizens face while not

gainfully employed behind bars, they often lack the ability to pay bond amounts in order to be released from custody (Tan and Kaufman 2017). Recent studies have also noted the high governmental spending costs of prolonged detention (Benenson 2018; Ryo 2017). Relatedly, detention is an emotionally, physically, and mentally demeaning experience for non-citizens, one that is severed from their own conceptions of dignity and respect (Gerlach 2022). Given the repercussions of immigrant detention, both parties are often motivated to resolve these cases as quickly as possible.

However, fast-tracked hearings for detainees do not always guarantee that justice has been served. In fact, it comes no surprise that detained cases are much shorter: to the person detained, it feels like prison, and to the U.S. government, it is costly, even more so than criminal prisons. There is also political incentive for the U.S. executive branch, which oversees and administrates the immigration court system, to expeditiously process "clear-cut" cases in detention. However, when delays do happen, they tend to more negatively impact detained individuals compared to those who are not in ICE custody. Prolonged detention can last years before, during, and even after the judge decides their case (Jamison 2021). It leads to due process concerns (Golash-Boza 2012) and diminishes the health and well-being of non-citizens and their families (Perreira and Pedroza 2019).

In contrast, non-detained cases typically take longer to reach a decision. This is partly due to a clear overlap between detention status and attorney representation, as higher representation rates for non-detained respondents typically relate to lengthier trial periods. Though even while representing themselves outside of detention, *pro se* non-citizens can spend more time gathering

materials, filing documents, and preparing for their case. This advantage does come with some caveats. While non-detained individuals are often in a better position to work, support their loved ones, and continue their lives, there are mounting concerns about ICE's increased surveillance using so-called "alternatives to detention" (ATD), which can include home visits, GPS ankle monitors, and facial recognition check-ins via a cell phone app (Bhatia 2021; ICE 2022). New surveillance methods show that ICE has adapted to these extensive caseloads, continuing to enforce immigration law outside of detention while focusing their presence in specific U.S. regions and localities.

Courts as contexts of reception: focusing on New Hispanic destinations

Where a respondent is surveilled – and where they are detained – places them into one of many immigration court jurisdictions. These jurisdictions have varying case outcomes (Ramji-Nogales, Schoenholtz, and Schrag 2007), case completion times (TRAC 2022b), and attorney representation rates (Eagly and Shafer 2015). This is because immigration laws are enforced in different ways depending on where immigrants are located, piecing together a "multi-jurisdictional patchwork" of socio-legal environments (Varsanyi et al. 2012). With that in mind, Flippen and Farrell-Bryan's (2021) have called to direct attention towards local contexts of reception – in this article's case, not just *where* the judge makes a deportation decision but what *proportion* of the overall population identifies as Hispanic – as part of the immigrant incorporation process (Portes and Rumbaut 2001).

Recent studies address how contexts of reception towards certain immigrant groups matter greatly in shaping sub-national, regional, and local laws. This includes research on immigrant health insurance access (Monnat 2017), law enforcement (Moinester 2018), educational attainment (Stamps and Bohon 2006), and residential segregation (Park and Iceland 2010). Contexts of reception also matter in terms of adjudicating the law. Previous research finds wide regional variation in immigration court outcomes, particularly in defensive asylum decisions (Ramji-Nogales et al. 2007; TRAC 2017).[1] The timing and outcomes of bond (Moinester 2018; Ryo 2016), removal (Eagly and Shafer 2015), and *in absentia* decisions (Eagly and Shafer 2020) also vary from one jurisdiction to the next.

This presents an opportunity to focus on immigration courts in so-called "new Hispanic destinations" in the U.S., one type of reception context where Hispanic population shares have grown in the last thirty years (Donato et al. 2008; Lichter and Johnson 2020; Marrow 2011; Singer 2004). Since 1990, such destinations have emerged in parts of the U.S. South, Mountain West, and Upper Midwest, and can be understood as one type of context. In some of these new destinations, immigration detention has increased, with pretrial release rates much higher in Midwestern destinations than those in the U.S. South (Moinester 2018:1164). Increasing court backlogs in these areas prompt this article to consider how judicial decisions may also depend upon the court assigned, and whether that court is located in an area with a more or less established immigration history in the post-1990s era of U.S. immigration.

[1] "Defensive" asylum refers to asylum claims filed in immigration court, whereas "affirmative" asylum claims are filed out of court with U.S. Immigration and Citizenship Services (USCIS).

Research questions

My research questions focus on a completed case's filing and decision date (*completion time*). Specifically, they are as follows:

1. How long do removal cases last, and how do case completion times vary for each immigration court decision type (relief, termination, removal, and voluntary departure)?
2. What is the contribution of each decision type to overall case completion times?
3. How do completion times differ by attorney representation, detention status, and new Hispanic destination?

Approach

Data

I use Transactional Access Clearinghouse (TRAC) immigration court data restricted to fiscal years (FYs) 2007-2019. I limit my sample to removal cases that have either reached a final decision or are still pending (n = 2,079,182), excluding asylum-only and withholding-only cases.[2] TRAC provides these immigration court data obtained via administrative records from EOIR and other government agencies through Freedom of Information Act (FOIA) requests. My analysis is at the case level, meaning that I group all proceedings together based on an

[2] Hearing locations outside of the continental U.S. (e.g., those in Puerto Rico, Guam, and Hawaii) are also excluded from the analysis.

identifiable case ID number. This leaves one unique observation for each case while still retaining cumulatively-gathered information and important measures of interest, such as the final decision outcome of each case when applicable.

For the construction of life-table results, I additionally rely on mortality data from the Centers for Disease Control's (CDC) annual male Hispanic life-tables for years 2007-2019. Mortality rates for this group were selected due to the male Spanish-speaking population largely outnumbering any other social group in U.S. immigration court (TRAC 2021).

Case outcomes

At the end of an immigration court case, judges choose from a variety of decisions. This paper considers four separate case outcomes: relief, termination, removal, and voluntary departure.[3] Removal orders comprise the majority of final decisions (63.92%), much higher compared to relief (13.99%), termination (13.97%), and voluntary departure decisions (8.11%). Of all removal cases initiated between FYs 2007 and 2019, 863,132 (41.51%) had not yet reached a final decision.

Case completion time

[3] Given that this paper is interested in "final" decisions, I reclassify cases where the last judicial decision on record is administrative closure as "no decision" cases. Administrative closure is a docket management tool that judges use to temporarily pause removal proceedings (see Background section). For further information, see *Matter of W-Y-U-, 27 I&N Dec. 17, 18 (BIA 2017)*.

DHS officially initiates each case when serving a "Notice to Appear" (NTA) document to both the government and the respondent. Effectively, sending an NTA starts the clock. And before that clock ends, the government must be convinced – often in court – that a respondent may change or retain their legal status in order to remain in the U.S. Following TRAC's (2011) method, I measure case completion time as the days between the case's initiation (i.e., the recorded date of NTA filing) and final decision date.

There are differences in average case completion time by decision, as removal orders typically end faster on average. In some respects, this is not surprising: judicial decisions for "clear cut" cases may require less deliberation and quicker outcomes. Within this article's analysis and discussion, I note how time disparities in decisions may be reflective of additional biases unobservable in the TRAC data.

Comparison groups

Attorney representation. TRAC data contains information for attorney representation, including whether or not an attorney was present at any point during the case, coded as a binary variable for each respondent (0=no, 1=yes).

Detention status. TRAC data also provides data for the respondent's custody status at the time of the judge's final decision: detained, never detained, and released. I recoded these values as a binary variable for each respondent (0=not detained, 1=detained). "Not detained" here includes

respondents who were either never detained to begin with, as well as those released from detention prior to the judge's final decision.

-- INSERT FIGURE 3 ABOUT HERE --

New Hispanic destination. To capture demographic differences in the Hispanic population at court locations, I identify the New Hispanic Destination county of the court where each case is decided. To do so, I rely on TRAC data on the last judge assigned who makes the final case decision. Next, I use IPUMS data for the 1990, 2000, 2010 U.S. Census decennial estimates, as well as the 5-year 2015-2019 American Community Survey (ACS) estimates to determine the types of Hispanic destinations in each U.S. county, based upon the ZIP code and corresponding county where judges make their case decisions. Replicating Monnat's (2017) method, I group together counties experiencing Hispanic population growth of at least 150 percent and at least 1,000 Hispanics between year *x* and year *y* (Crowley and Lichter 2009; Kandel and Cromartie 2004), while adjusting for counties with smaller populations (i.e., year $x < 20{,}000$). In Figure 3, I display a typology map based on two categories: "Established Destinations" with proportionally large Hispanic population growth prior to 1990, and "New Destinations" experiencing similar growth between 1990 and 2019.

Methods

Survival time

The first method focuses on modeling the time spent in the U.S. immigration court system from a case's initiation to completion. To accomplish this, I construct a standard multiple decrement life-table to determine overall and decision-specific survival curves for all U.S. immigration removal cases in 2007-2019. This involves calculating daily exit rates for each judicial decision (relief, termination, removal order, voluntary departure), denoting each exit rate at day a by $\mu(a)$, and using ${}_{n}a_{x}$ values of 0.5. These ${}_{n}a_{x}$ values assume that the average number of person-days are constant between days x and $x + n$ by an individual who exited in a given internal.

Additionally, as a fifth exit cause, I calculate the daily mortality rate using Centers for Disease Control (CDC) data for Hispanic men in years 2007 to 2019. Below represents the sum of all specific decision and mortality rates $\mu^{i}(a)$ for causes $i = 1, \ldots, 5$, which are assumed to be mutually exclusive and exhaustive:

$$\mu(a) = \sum_{i} \mu^{i}(a)$$

These rates are then converted to probabilities of exit, or p(a). The probability at case initiation of surviving past day a for a specific cause i within the interval a to $a + da$ would then be:

$$p_i(a) = \exp\left(-\int_0^x \mu_i(a)\mathrm{d}a\right)$$

To test for significant differences between judicial decision survival curves, I rely on pairwise comparisons using the Wilcoxon signed-rank test, a non-parametric test which accounts for the

right-skewed distribution of case completion time. In this particular model, the Wilcoxon test statistic weights each exit's contribution to the overall test statistic by the number of respondents at risk of each judicial decision. As such, this test utilizes heavier weights for earlier exit times when the number at risk is larger, making it sensitive to censoring pattern differences in each group.

Cause deletion

For the second method, I calculate the life expectancy (LE) of a case at its initiation date (or "birth"). This includes both standard LE (including all judicial decisions) and cause-deleted LE (where a specific decision is absent). This approach maintains focus on the time spent in the court system while also considering how much time a case gains when one judicial decision outcome (relief, termination, removal order, voluntary departure) were arbitrarily set to zero while all other decision rates remained the same. Given rates of mortality and judicial decisions, $\mu(a)$, standard life expectancy at case initiation is computed as

$$e(0) = \int_0^{\omega} p(a)\mathrm{d}a$$

Assuming that each cause of exit i is an independent competing risk, one may subtract it entirely from other causes to determine the years of life gained in its absence, denoted as $D_i(0)$. The cause-deleted equation can therefore be written as

$$D_i(0) = \int_0^{\omega} p_{-i}(a)\mathrm{d}a - \int_0^{\omega} p_{-i}(a)p_i(\mathrm{a})\mathrm{d}a$$

Demographers often use the cause-deleted approach to model specific causes of mortality, such as deaths resulting from neoplasms (Preston, Heuveline, and Guillot 2001). For more recent applications, see Beltrán-Sánchez et al. (2008), Andersen et al. (2013), and Ho (2017). Researchers rely on such methods to determine the effect of cause deletion by comparing life expectancy with and without that cause in effect. Thus, cause-deleted life tables show what a cohort's life expectancy would be when no person dies or exits due to a particular cause. In practice, this method works more as an "accounting exercise rather than an epidemiologic prediction," focusing squarely on the impact of mutually exclusive and exhaustive causes of death (Beltrán-Sánchez et al. 2008:1325; see along Chiang 1968).

This approach translates well into an immigration court setting, as final immigration decisions are truly independent (one cannot be ordered removed and granted relief at the same time). Assuming constant risks of judicial decisions for each day in a case (Preston, Heuveline, and Guillot 2001:82), I compute cause-specific "case-life" expectancies by dividing each decision into person-days of exposure, equivalent to multiplying the overall rate by the ratio of one judicial decision type to the total. This presents an opportunity to study how long an immigration court case takes to completion when a given decision type is absent. In addition, I make the same survival and cause-deleted life expectancy calculations based on my three comparison groups.

Results

Overall

Overall survival time in removal cases

Figure 4a displays a survival curve for all removal cases, indicating that by year 12, roughly 0.101 of respondents in the model are still awaiting a decision on their removal case. Figure 4b shows similar results aggregated by judicial decision. The proportion of non-citizens that are eventually ordered removed is 0.526, much higher than those granted relief (0.203), having one's case terminated (0.183), or ordered to voluntarily depart (0.082). Generally, decisions that order a non-citizen's exit from the U.S. (either via removal or voluntary departure) happen at a faster pace than decisions allowing them to stay (either via relief or case termination).

-- INSERT FIGURE 4 ABOUT HERE --

Removal orders are the quickest of all decisions, with a proportion of 0.645 occurring before year 2. Voluntary departure also occurs at a faster pace, with 0.51 of those decisions taking place in that same timeline. In contrast, just 0.236 of those eventually obtaining relief do so by year 2, as do 0.332 for termination decisions. These differences in judicial decision timing and survival are significant per pairwise Wilcoxon tests. For multiple decrement life table results, see Appendix Table 1.

Overall cause-deleted case-life expectancies

The bar plot in Figure 5 displays estimated gains in case-life expectancy when one judicial decision type (or "cause") is absent from analysis (for tabulated results, see Appendix Table 3). With all decisions present, the standard case-life expectancy at initiation is about 3.72 years. For cause-deleted case-life expectancies, gains are minimal when relief (0.87 years), termination (0.74), or voluntary departure (0.33) are absent. When removal orders are eliminated, however, cases hypothetically last much longer, extending case-life expectancy by 3.2 years to 6.92 years total. This result is to be expected, given that removal orders often occur swiftly for those detained and/or those with so-called "clear cut" cases for deportation. Considerably more time is spent deliberating on relief, termination, and voluntary departure decisions.

-- INSERT FIGURE 5 ABOUT HERE --

Also, as seen in Figure 6, in most cases there is a bump in case-life expectancy until about year 3, which suggests there may be non-observable intermediate delays that extend a respondent's trial. To offer a comparison in a demographic context, this life expectancy bump also occurs when there are much higher rates of mortality at birth (Preston et al. 2001). In immigration court, one may assume that excess "mortality" at earlier stages of the court process is due to the high rates of removal orders occurring within that timeframe. The only instance when case-life expectancy steadily decreases is when removal orders are deleted as a cause. With removal orders absent, cases last longer, but they also do not experience a bump in intermediate delays. These results raise an interesting point about immigration court efficiency in that it does not necessarily equal speed. Instead, efficiency could mean a consistent form of deliberation, with

fewer obstacles at any stage of a case (beginning, middle, or end) that ultimately slow the process down.

-- INSERT FIGURE 6 ABOUT HERE --

Comparisons by attorney representation, detention, and New Hispanic destination

Next, I repeat both survival and cause-deleted analyses broken down into three comparison groups: attorney representation, detention status, and new Hispanic destinations.

Survival time by comparison group

Figure 7 displays aggregated survival curves for judicial decisions based on these three comparison groups. For yearly multiple decrement life table results, see Appendix Tables 2a-2d. I discuss these results further below:

Attorney representation. Having counsel in removal proceedings relates to longer case lengths, regardless of the final case outcome, as seen in Figure 7a. Out of all unrepresented respondents' cases, 0.042 of them last until year 12, compared to 0.144 of represented cases. When cases end quickly for unrepresented respondents, they tend to result in removal orders or voluntary departures. When cases last longer for unrepresented immigrants, their chances of removal order or voluntary departure significantly decrease as they are more likely to be granted relief or have

their case terminated. These results add weight to the claim that attorneys do not simply provide access to knowledge for their clients; they also provide access to time (Farbman 2019).

-- INSERT FIGURE 7 ABOUT HERE --

Detention status. Figure 7b shows what may well be the clearest difference in case completion length: whether or not one is detained. For non-detained individuals, cases often extend out into multiple years, with a large proportion of allowances to remain in the U.S. (0.193 for relief, 0.231 for case termination) yet to be decided by year 12. Removal orders tend to happen more quickly relative to other non-detained case decisions, though by comparison those decisions still take much longer compared to those in detained cases. In contrast, detained respondents across the board experience much quicker case completions regardless of the outcome, with around 0.916 of decisions made by year 1. These results align with past research on immigration detention, which finds that detained cases almost always take higher priority and are therefore shorter in terms of the lengths of case continuances and completion time (Eagly and Shafer 2015:36).

This statistic is not surprising, given that detained cases involve more serious immigration crimes and are costlier to both the government and the respondent, as highlighted in past research. Nonetheless, results emphasize a broader concern that the overwhelmingly punitive nature of U.S. immigration law – including the glaring lack of due process for many shorter cases – especially impacts those who are mandatorily detained. One should keep in mind that

immigration offenses resulting in mandatory detention include crimes that are not felonies in the criminal context, lowering the threshold for those underresourced to defend their case in court.

New Hispanic destinations. Compared to attorney representation and detention status, there are relatively smaller survival differences between Established and New Hispanic destinations, as seen in Figure 7c. The only noticeable difference is the survival rate of voluntary departure (in yellow), which allows a person to leave the U.S. at their own expense and avoid the legal repercussions of having a removal order on their file. This decision's survival curve nearly resembles relief and termination decisions in Established destinations, but more closely mirrors removal order decisions in New Hispanic destinations. In other words, judges in Established destinations take more time to deliberate on cases that eventually result in voluntary departure, compared to the time it takes those same judges to decide on removal orders. In newer destinations, however, that difference does not exist.

Cause-deleted case-life expectancies by comparison group

Figure 8 displays the contribution of each judicial decision to the change in case-life expectancies by comparison group (for tabulated results, see Appendix Table 3). Removal order decisions were the main factor that increases case-life expectancy at initiation during the 2007-2019 period, except for cases that had a defense attorney present. I detail results from each of these comparisons below.

Attorney representation. As seen in Figure 8a, having an attorney relates to longer case completion times, with a regular case-life expectancy of 5.03 years (compared to 1.95 years for those without an attorney). Cause-deleted gains are more evenly distributed for those with attorney representation – even when removal order decisions are absent. For those without counsel, these gains are more lopsided. Deleting relief, termination, or voluntary departure decisions has little effect, but deleting removal order decisions extends case-life expectancy by 7.03 years to 8.98 years total. This is the largest observed increase across all results, indicating that removal orders especially are tied to fast-tracking immigration cases while non-citizens lack an attorney to represent them.

-- INSERT FIGURE 8 ABOUT HERE --

Detention status. Similar to the survival analysis results, detained case-life expectancy is notably short at 0.45 years, compared to 4.62 years for those not detained as shown in Figure 8b. Regardless of detention status, cause-deleted gains in case-life expectancy are highest when removal orders are absent, with 3.81 added years for detained respondents (4.26 years total), and 2.57 added years for non-detained respondents (7.19 years total).

New Hispanic destinations. Figure 8c shows that standard case-life expectancy is fairly similar between Established and New Hispanic destinations at 3.9 and 3.45 years, respectively. The gain in case-life expectancy is more pronounced for new destinations when removal order decisions are absent, increasing LE by 3.39 years 6.84 years total) for New Hispanic destinations, and 2.92 years (6.82 years total) for Established destinations. So while case completion times are

relatively shorter for New Hispanic destinations overall, when removal order decisions are eliminated, those cases take the same time compared to Established destinations. These findings suggest that removal decisions are more strongly associated with fast-tracking cases in places experiencing more pronounced shifts in the Hispanic population these past thirty years.

Discussion and conclusion

This article bridges together opportunities to study how one key pillar of demographic change – i.e., migration – relates to the sociology of law. While demographers have often used the cause-deleted approach to think about morbidity and mortality, it is equally applicable to studying administrative courts in the U.S., particularly in immigration court where judges deliver "death sentences in a traffic court setting" (Ludden 2009; see also Caldwell 2019). This article also complements scholars' work which uses demographic methods and decomposition techniques to study beyond the "three Ms" (mortality, maternity, migration) such as for worker displacement (Wrigley-Field and Seltzer 2019) and parental imprisonment (Wildeman 2009).

My results show how U.S. immigration courts vary in immigration court outcomes, focusing explicitly on case completion time in removal (deportation) cases. A key contribution of my survival analysis findings illustrates that removal decisions often occur more quickly than other judicial decisions, except when cases involve detained individuals. In detention, all cases move fairly quickly, regardless of the outcome. Moving forward in my analysis, as a hypothetical exercise, cause-deleted life table results show that absent of removal orders, cases would last

significantly longer. Without removal orders, there would no longer be a life expectancy "bump" in the first few years of a case, resolving what may be intermediate delays that only occur for removal decisions during the court process.

While removal orders occur much faster, it is also true that judges sort many cases into "clear-cut" removal decisions based on the expansive definition of deportability in recent anti-drug and criminal justice legislation. Indeed, as mentioned earlier in the Data section, this article finds that disparities in case completion time may represent a highly selective process. However, because the frequency of removal orders far outweighs that of other decisions, my results reveal how courts indiscriminately and expeditiously deport individuals rather than apply timely and careful deliberation in the decision-making process. Instead of delaying justice, immigration courts are often guilty of rushing justice for a select set of individuals through the legal system.

There are also disparities in the timing and outcomes of judicial decisions by attorney representation, detention status, and New Hispanic destination. First, regarding attorneys: the case-life shortening effect of removal decisions is particularly evident for those without counsel to represent them. These findings add weight to the idea that attorneys provide respondents with access to time and timeliness, in addition to legal knowledge, while representing their case (Benson and Wheeler 2012; Coutin 2003). Compared to *pro se* respondents, those with an attorney experience longer case completion times regardless of the judge's final decision. Comparing these cause-deleted results also supports past research finding that cases with attorneys are more efficient in terms of case completion time (Ryo 2018).

Second, detention status plays a large role in shortening the length of time a case takes to completion. These results contribute to the claim that immigrant detention is a brutal tool of state incarceration, often leading to financial precarity, furthering emotional abuse, and lacking due process (Golash-Boza 2012). In light of these findings, it is worth pointing out how immigration detention dispossesses respondents of their dignity, no matter how long their case lasts (Gerlach 2022). What my analysis confirms is that detention directly relates to brevity in the legal process compared to those not in custody. Multiple studies and reports have commented on these conditions, which should also raise questions about the dehumanizing nature of detained immigration court (Office of Inspector General 2017; Ryo 2019).

Third and finally, much how previous work considers immigration enforcement's relationship to local contexts of reception, this article begins to think about how U.S. immigration courts have also adapted to, shaped, and mirrored those contexts in different ways. By analyzing courts located in either an Established or New Hispanic destination, I find results to be fairly similar in both categories, with the exception of voluntary departure decisions which take longer in Established destinations. These measurements provide solid ground to further study local demographic changes that transform how the U.S. enforces and adjudicates immigration law for its non-citizens in that locality (Moinester 2018).

Along with its focus on time and timeliness, another contribution of this article is to emphasize how immigration court researchers can and should pay closer attention to how immigration attorney referrals operate in detained courts and newer Hispanic destinations. Findings from this paper can assist in more contextual, on-the-ground approaches to studying the strength and scope

of local immigrant networks which include private removal defense attorneys and/or pro bono services. Such research could, for example, explore whether a "new destination disadvantage" exists for immigrants seeking legal services in and out of detention, just as it does for immigrants seeking access to healthcare (Monnat 2017).

There is a valid critique that empirical U.S. immigration court research so far has paid closer attention to judicial decisions when it should be attending to discretionary processes before and during trial. For instance, while I show robust, statistically significant correlations between representation and judicial decisions, I do not argue that representation *causes* the latter, in line with past studies (Ryo 2018; also see Eagly and Shafer 2015). In order to contextualize the substantive impact an attorney has, one must study what arguments they present to the bench and what strategies they employ in and out of the hearing process, which include filing and withdrawing relief applications. As a follow-up to this paper's survival analysis, one could investigate whether or not an application for relief was filed or withdrawn with an attorney, and whether that impacts the case completion time for specific decisions.

Furthermore, one may wish to account for respondents who themselves may self-select: those who believe they can win their case, and who have the financial means or support to do so, may also be the majority of those successful in obtaining an attorney. Along with prior research that utilizes immigration court observations of hearings happening in real time (Asad 2019; Farrell-Bryan 2022; Levesque et al. 2022), this article can hopefully motivate the use of new data, methods, and techniques that can account for these selection effects.

My analysis purposefully falls outside of the COVID-19 timeframe, during which many courts were closed or semi-operational. This was done to ensure consistency of results and to account for a system that had been deeply disrupted by the global pandemic. Today, immigration courts are somewhat different compared to the end of FY 2019, both in their local approach to COVID social distancing guidelines and the Biden administration's approach to immigration policy. A future follow-up study could compare pre- and post-COVID immigration backlogs, much how recent work has investigated pandemic and national origin stigma effects in U.S. removal proceedings (Peacock and Ryo 2022).

The U.S. immigration bureaucracy continues to move at a snail's pace, deeply impacting the lives and livelihoods of immigrants and their families who continue to lay roots in their towns, cities, and communities. Migration scholars studying contexts of reception can hopefully build from this article's methods and findings to consider the law in multiple aspects – from immigrant entry to enforcement to case adjudication – and how it shapes and responds to growing immigrant destinations. In that same vein, pursuing policy research that further analyzes these comparisons in reference to case completion time would fall in line with EOIR's stated goals of fairness, expeditiousness, and uniformity across all judicial decisions.

This article necessarily helps reframe our thinking about how to analyze and operationalize time in the U.S. immigration court system, paying attention to how different contexts of reception also relate to different contexts of legal access. Centering on specific mechanisms of social stratification in the court system (attorney representation, detention, and New Hispanic destinations), it furthers the idea that the U.S.' current immigration court system is becoming

increasingly ill-fitted for a new and developing era of migration. While courts are “just the tip of a giant iceberg” (Silbey 2019), this article reaffirms importance for studying social stratification in a legal space which sorts, selects, and deports a large number of immigrants each year.

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Figure 1. Simplified flowchart of U.S. immigration removal court process

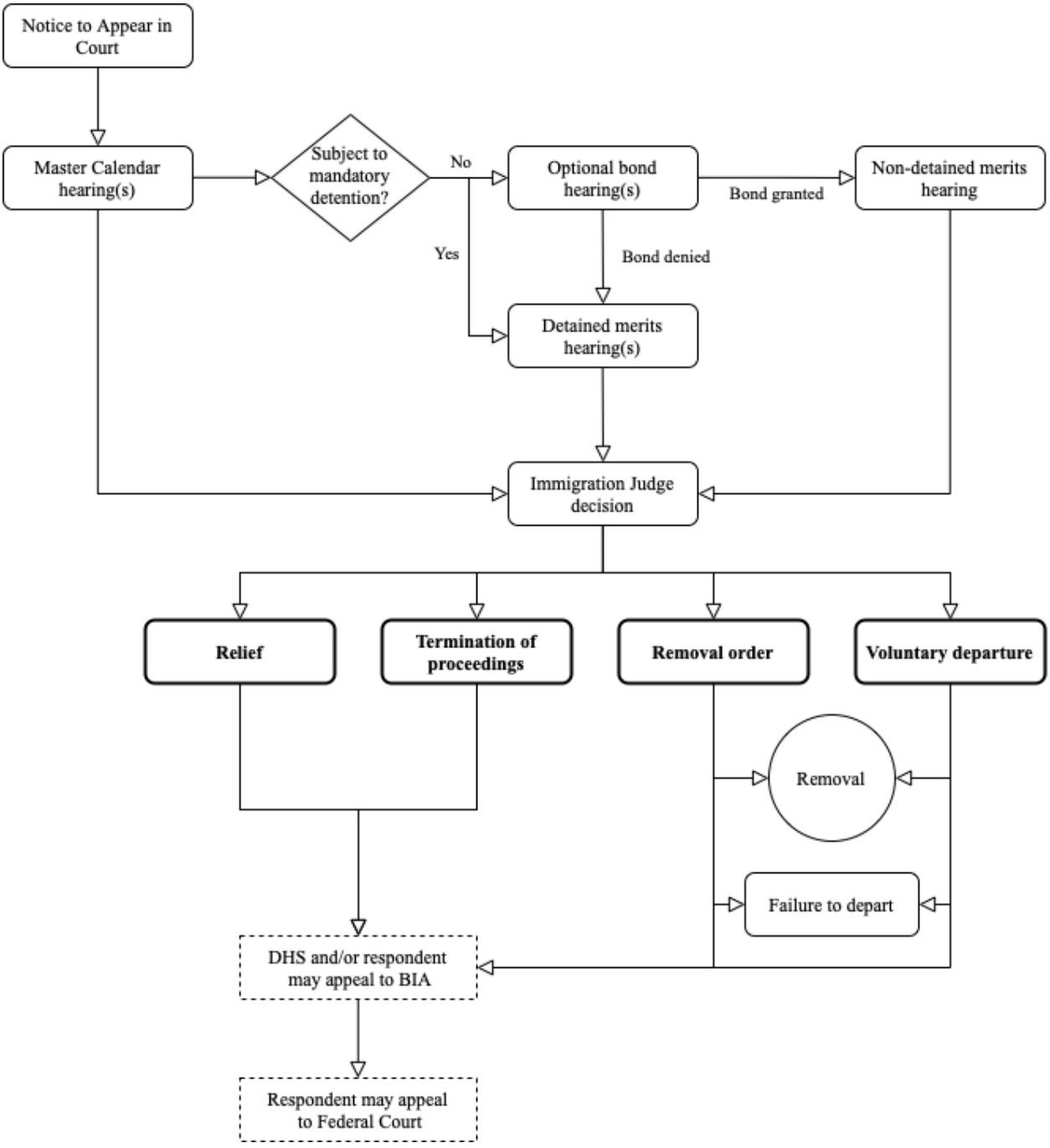
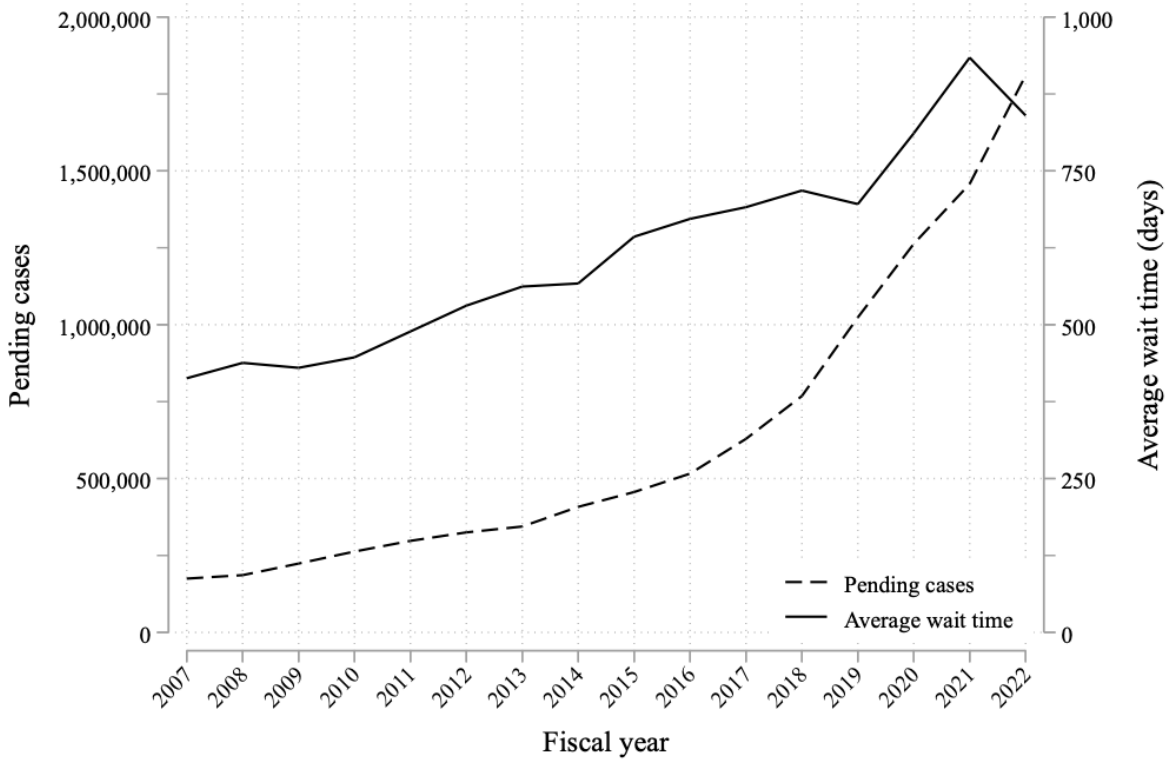
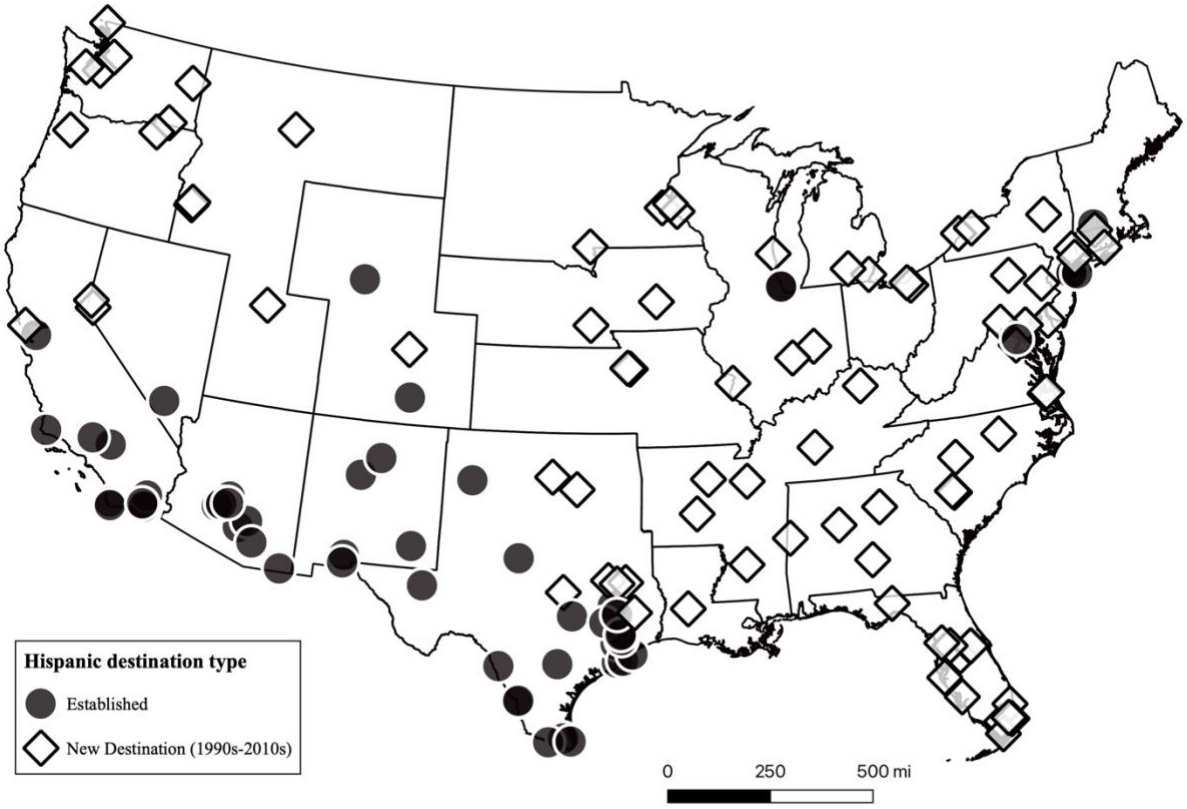


Figure 2. Pending U.S. immigration court cases and average wait time to decision, FYs 2007-2022



Source: TRAC (2022)

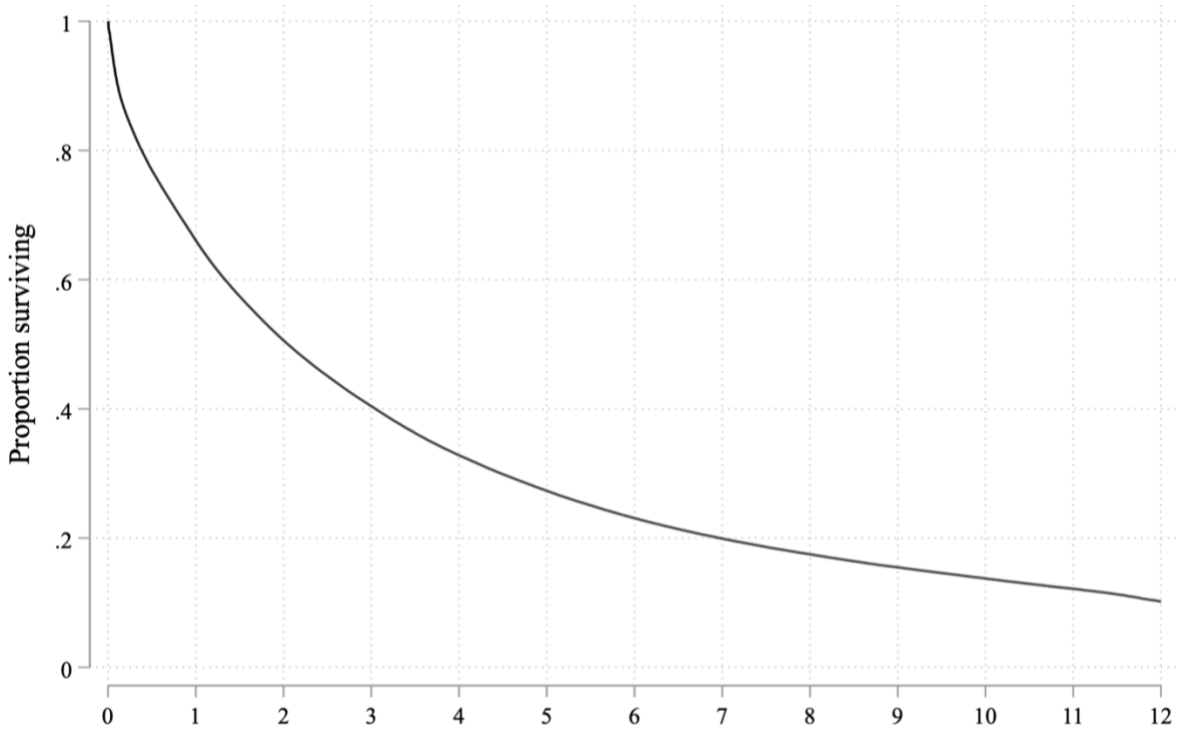
Figure 3. Immigration court hearing locations by Established/New Hispanic destination



Note: Borders are defined by EOIR court jurisdictions, as per TRAC (2022).

Figure 4. Survival curves for removal case decisions

a. Overall



b. By judicial decision

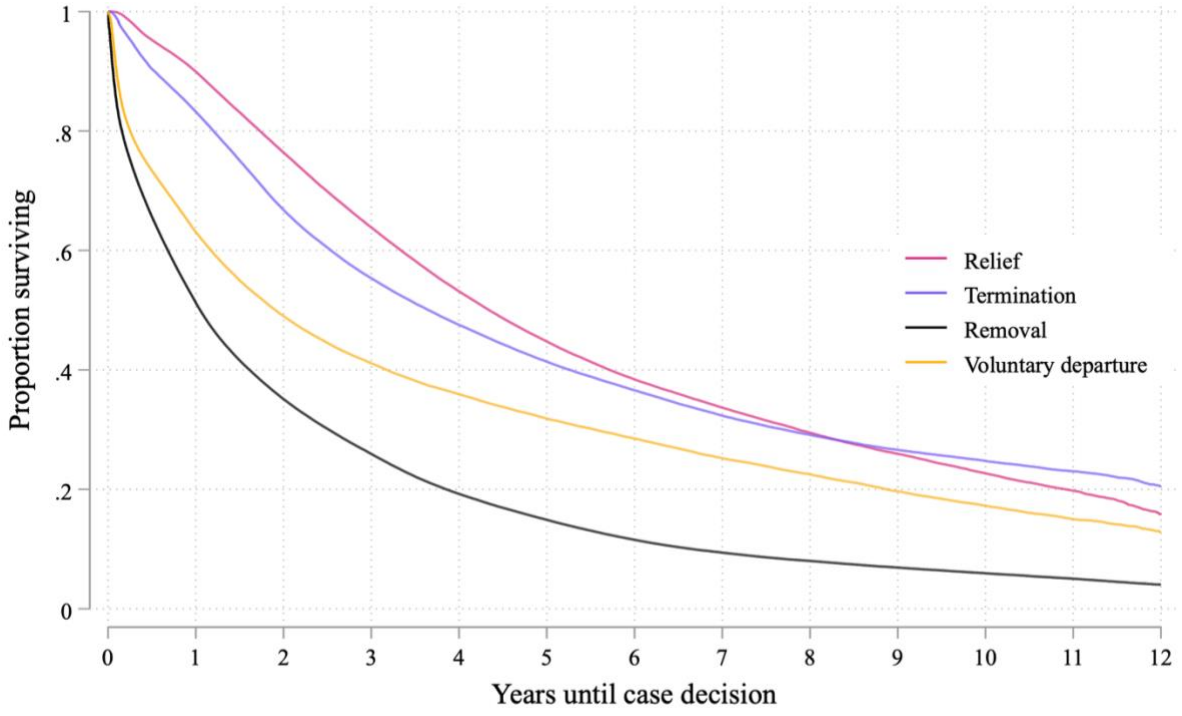


Figure 5. Change in case-life expectancy at initiation attributable to judicial decisions (in years)

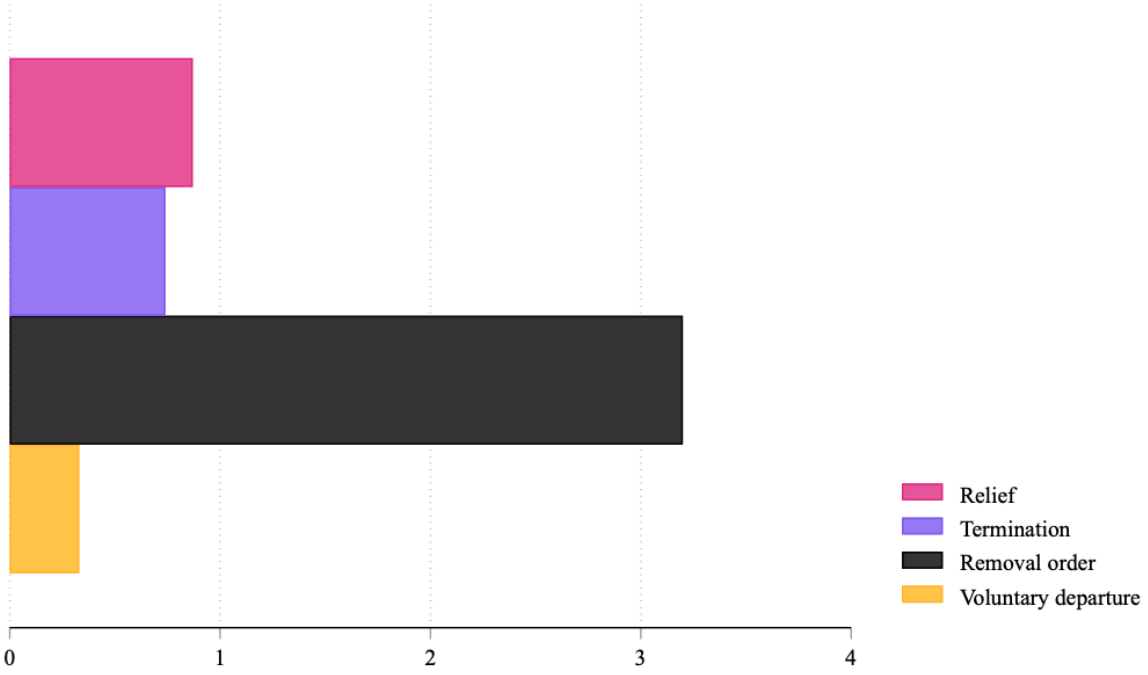


Figure 6. Cause-deleted case-life expectancy over time attributable to judicial decisions

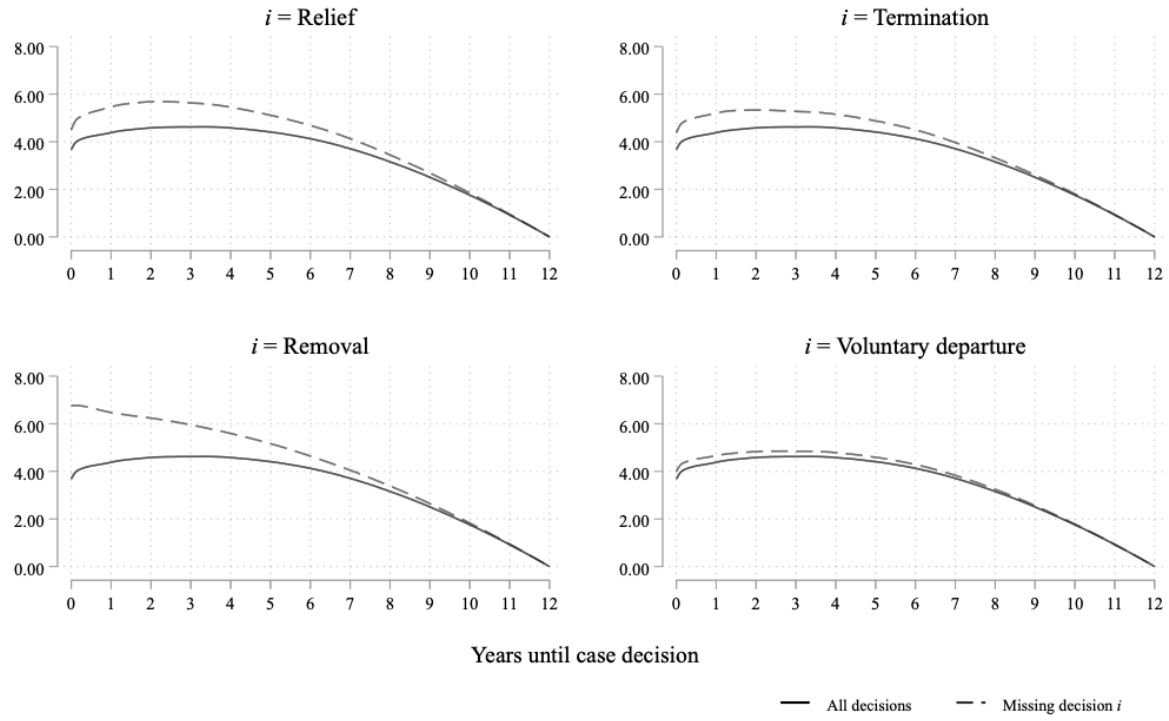


Figure 7. Survival curves by breakdown group, by judicial decision

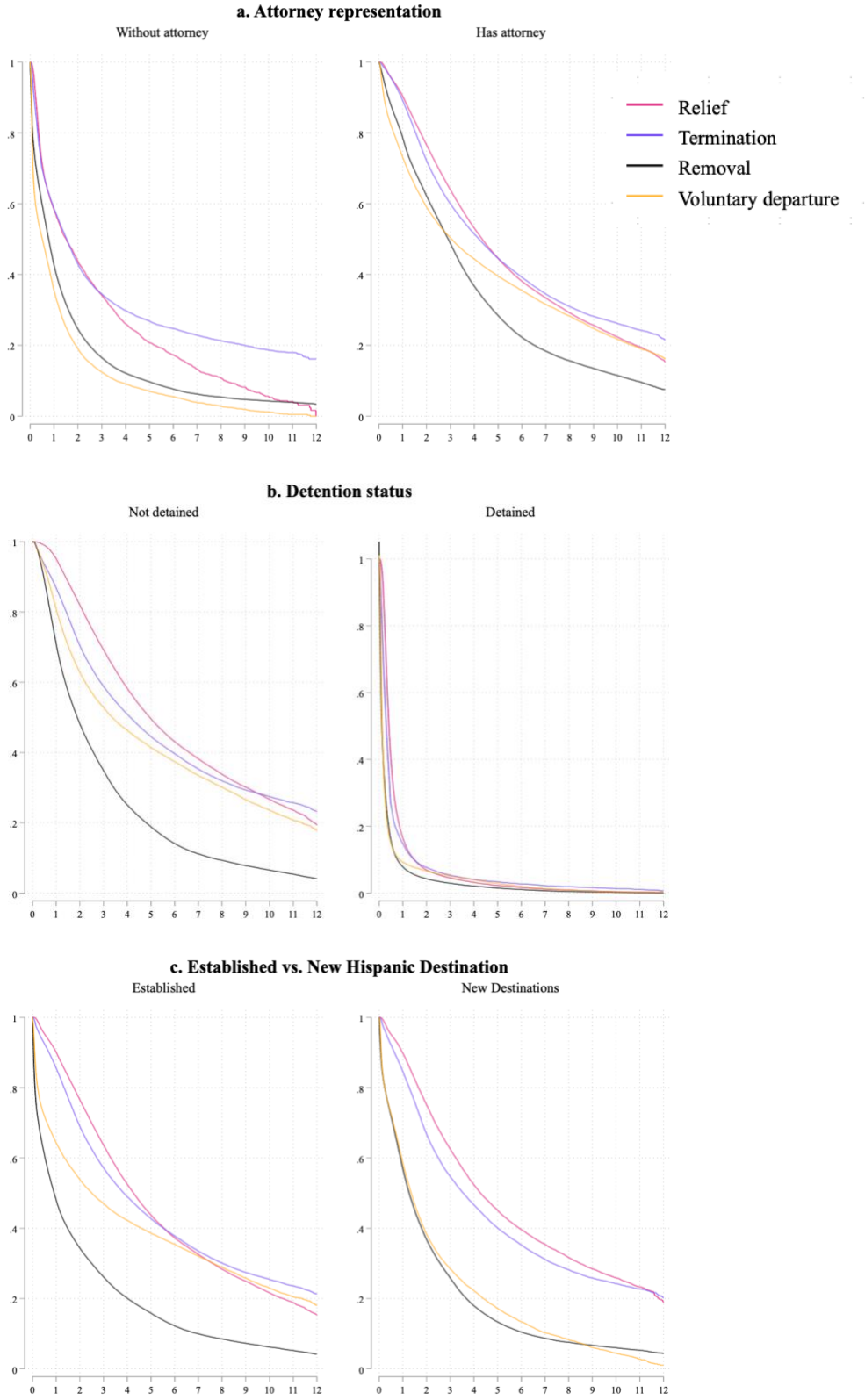
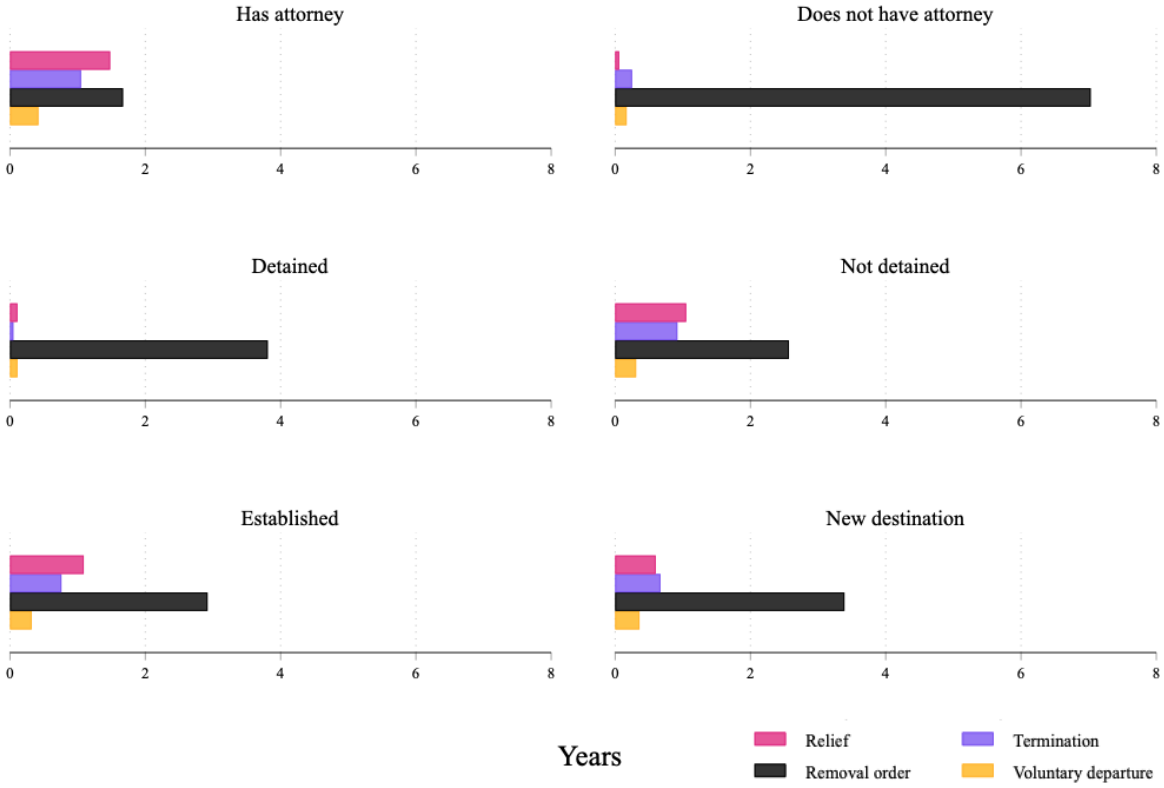


Figure 8. Change in case-life expectancy at initiation attributable to judicial decisions (in years), by breakdown group



Appendix Table 1. Multiple decrement life table

Year x	l_x	l^i_x *Relief*	l^i_x *Termination*	l^i_x *Removal*	l^i_x *VD*
0	100,000	20,340	18,326	52,635	8,241
1	66,092	18,295	15,251	26,980	5,199
2	50,593	15,538	12,240	18,475	4,040
3	40,408	12,988	10,143	13,642	3,388
4	32,812	10,811	8,712	10,124	2,960
5	27,329	9,105	7,583	7,846	2,624
6	23,092	7,815	6,707	6,080	2,350
7	19,923	6,852	5,925	4,954	2,080
8	17,496	5,996	5,339	4,218	1,856
9	15,471	5,276	4,875	3,634	1,621
10	13,742	4,611	4,535	3,130	1,421
11	12,157	4,023	4,218	2,654	1,237
12	10,137	3,198	3,753	2,124	1,055

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.

Appendix Table 2a. Associated single decrement life table for immigration court decisions other than decision *–i* = relief

Year x	R^{-i}	l_x	${}_np_x$	${}_na_x$	$e^o{}_x$	${}^*{}_np^{-i}{}_x$	${}^*l_x{}^{-i}$	${}^*{}_na^{-i}{}_x$	${}^*e^{-i}{}_x$
0	1	100,000	0.995718	0.5	3.72	0.991449	100,000	0.5	4.59
1	0.849268	66,092	0.661326	0.5	4.44	0.999096	67,972	0.5	5.59
2	0.736515	50,593	0.506932	0.5	4.66	0.999490	54,655	0.5	5.85
3	0.680556	40,408	0.405429	0.5	4.72	0.999693	46,242	0.5	5.82
4	0.637097	32,812	0.329579	0.5	4.70	0.999738	39,912	0.5	5.67
5	0.657407	27,329	0.274792	0.5	4.55	0.999658	35,229	0.5	5.36
6	0.800000	23,092	0.232509	0.5	4.30	0.999628	31,372	0.5	4.96
7	0.675000	19,923	0.200846	0.5	3.91	0.999663	28,347	0.5	4.44
8	0.560000	17,496	0.176592	0.5	3.39	0.999739	26,097	0.5	3.79
9	0.875000	15,471	0.156313	0.5	2.77	0.999790	24,142	0.5	3.05
10	0.600000	13,742	0.139146	0.5	2.05	0.999838	22,475	0.5	2.24
11	0.333333	12,157	0.123273	0.5	1.26	0.999876	20,838	0.5	1.38
12	0	10,137		0.5	0.40	1	18,745	0.5	0.47

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.

Appendix Table 2b. Associated single decrement life table for immigration court decisions other than decision *–i* = termination

Year x	R^{-i}	l_x	${}_np_x$	${}_na_x$	$e^o{}_x$	${}^*{}_np^{-i}{}_x$	${}^*l_x{}^{-i}$	${}^*{}_na^{-i}{}_x$	${}^*e^{-i}{}_x$
0	0.99718767	100,000	0.995718	0.5	3.72	0.991473	100,000	0.5	4.46
1	0.865633	66,092	0.661326	0.5	4.44	0.999078	68,826	0.5	5.32
2	0.782158	50,593	0.506932	0.5	4.66	0.999458	55,590	0.5	5.48
3	0.791667	40,408	0.405429	0.5	4.72	0.999643	46,551	0.5	5.45
4	0.854839	32,812	0.329579	0.5	4.70	0.999649	39,360	0.5	5.36
5	0.842593	27,329	0.274792	0.5	4.55	0.999562	34,081	0.5	5.11
6	0.716667	23,092	0.232509	0.5	4.30	0.999667	29,856	0.5	4.77
7	0.800000	19,923	0.200846	0.5	3.91	0.999601	26,750	0.5	4.27
8	0.760000	17,496	0.176592	0.5	3.39	0.999646	24,272	0.5	3.65
9	1.000000	15,471	0.156313	0.5	2.77	0.999760	22,106	0.5	2.96
10	0.800000	13,742	0.139146	0.5	2.05	0.999784	20,127	0.5	2.21
11	0.666667	12,157	0.123273	0.5	1.26	0.999752	18,275	0.5	1.38
12	0	10,137		0.5	0.40	1	15,919	0.5	0.50

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.

Appendix Table 2c. Associated single decrement life table for immigration court decisions other than decision *–i* = removal

Year x	R^{-i}	l_x	${}_np_x$	${}_na_x$	e^o_x	${}^*_np^{-i}_x$	${}^*l_x^{-i}$	${}^*_na^{-i}_x$	${}^*e^{-i}_x$
0	0.029810451	100,000	0.995718	0.5	3.72	0.999744	100,000	0.5	6.92
1	0.353144	66,092	0.661326	0.5	4.44	0.999624	90,206	0.5	6.62
2	0.566390	50,593	0.506932	0.5	4.66	0.999608	79,969	0.5	6.40
3	0.611111	40,408	0.405429	0.5	4.72	0.999724	71,141	0.5	6.14
4	0.580645	32,812	0.329579	0.5	4.70	0.999762	63,679	0.5	5.80
5	0.583333	27,329	0.274792	0.5	4.55	0.999697	57,287	0.5	5.39
6	0.533333	23,092	0.232509	0.5	4.30	0.999752	51,986	0.5	4.90
7	0.700000	19,923	0.200846	0.5	3.91	0.999650	47,319	0.5	4.33
8	0.720000	17,496	0.176592	0.5	3.39	0.999665	43,278	0.5	3.69
9	0.250000	15,471	0.156313	0.5	2.77	0.999940	39,705	0.5	2.98
10	0.800000	13,742	0.139146	0.5	2.05	0.999784	36,558	0.5	2.19
11	1.000000	12,157	0.123273	0.5	1.26	0.999628	33,607	0.5	1.34
12	0	10,137		0.5	0.40	1	29,422	0.5	0.45

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.

Appendix Table 2d. Associated single decrement life table for immigration court decisions other than decision *–i* = voluntary departure

Year x	R^{-i}	l_x	${}_np_x$	${}_na_x$	e^o_x	${}^*{}_np^{-i}_x$	${}^*l_x^{-i}$	${}^*{}_na^{-i}_x$	${}^*e^{-i}_x$
0	0.97300184	100,000	0.995718	0.5	3.72	0.991679	100,000	0.5	4.05
1	0.931955	66,092	0.661326	0.5	4.44	0.999008	68,649	0.5	4.74
2	0.914938	50,593	0.506932	0.5	4.66	0.999367	53,671	0.5	4.93
3	0.916667	40,408	0.405429	0.5	4.72	0.999586	43,536	0.5	4.97
4	0.927419	32,812	0.329579	0.5	4.70	0.999619	35,810	0.5	4.94
5	0.916667	27,329	0.274792	0.5	4.55	0.999524	30,198	0.5	4.76
6	0.950000	23,092	0.232509	0.5	4.30	0.999559	25,827	0.5	4.49
7	0.825000	19,923	0.200846	0.5	3.91	0.999588	22,595	0.5	4.06
8	0.960000	17,496	0.176592	0.5	3.39	0.999553	20,108	0.5	3.51
9	0.875000	15,471	0.156313	0.5	2.77	0.999790	18,062	0.5	2.85
10	0.800000	13,742	0.139146	0.5	2.05	0.999784	16,287	0.5	2.11
11	1.000000	12,157	0.123273	0.5	1.26	0.999628	14,639	0.5	1.29
12	0	10,137		0.5	0.40	1	12,429	0.5	0.42

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.

Appendix Table 3. Difference in the gain of case-life expectancy at initiation by eliminating a judicial decision, overall and by breakdown

Judicial decision absent	Case-life expectancy (e_0) in years	Gain in e_0 absent of decision *i* (years)
All decisions	3.72	
Relief	4.59	0.87
Termination	4.46	0.74
Removal order	6.92	3.20
Voluntary departure	4.05	0.33
BY ATTORNEY REPRESENTATION		
Has attorney (all decisions)	5.03	
Relief	6.52	1.48
Termination	6.08	1.05
Removal order	6.70	1.67
Voluntary departure	5.46	0.42
Does not have attorney (all decisions)	1.95	
Relief	2.01	0.06
Termination	2.20	0.25
Removal order	8.98	7.03
Voluntary departure	2.12	0.17
BY DETENTION STATUS		
Detained (all decisions)	0.45	
Relief	0.56	0.11
Termination	0.50	0.05
Removal order	4.26	3.81
Voluntary departure	0.56	0.11
Not detained (all decisions)	4.62	
Relief	5.67	1.05
Termination	5.54	0.92
Removal order	7.19	2.57
Voluntary departure	4.93	0.31
BY NEW HISPANIC DESTINATION STATUS		

Established (all decisions)	3.90	
Relief	4.98	1.09
Termination	4.66	0.76
Removal order	6.82	2.92
Voluntary departure	4.21	0.32
New Destinations (all decisions)	3.45	
Relief	4.05	0.60
Termination	4.12	0.67
Removal order	6.84	3.39
Voluntary departure	3.81	0.36

Author's analysis of data from Transactional Records Access Clearinghouse (TRAC), 2007-19.