

Immigration court tech crash drags on

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A massive computer crash at the nation's immigration courts recently entered its second month, leaving many of the courts' systems frozen in time and making it difficult for those in deportation proceedings to get information on their cases.

The technology failure is causing filings by lawyers to pile up at courts around the country and appears to be delaying the process of deciding which immigrants have legal grounds to stay in the U.S. and which should be kicked out.

"We are now limping along, keeping the system running with paper clips and scotch tape. It's appalling," said Dana Marks, president of the National Association of Immigration Judges. "You can't access recordings made in the past without the computerized docketing system. Unless the case was calendared before the system crashed, we cannot use the digital recording system to make a record now."

"It's kind of like we just went back to the 80s," said Laura Lichter, a Denver-based immigration lawyer. "It's kind of a mess.....It does slow things down."

For several weeks, callers to an 800 number which usually provides details on case status and the next scheduled hearing have gotten a message saying the data may be unreliable.

"Due to system issues, the information on this has not been updated since midnight on April 12, 2014," the recording says.

At a news conference on another issue Tuesday, Attorney General Eric Holder offered no specifics on the current tech meltdown but said that the immigration courts—which are part of the Justice Department—have long suffered from lack of adequate funding.

"We have in our 2015 budget request a substantial increase in the amount of money that would come to the immigration courts," Holder said Tuesday [at a news conference on another subject](#). "We have asked for more immigration judges. We are concerned about the IT systems, the information technology systems that are there, failures that have occurred in that regard. "

Asked if a resolution to the current problems would have to await new Congressional funding, the attorney general said he hoped not.

"Obviously, we'll take steps to try to fix those things, but over the long term what we need to do is have greater numbers of people and the most up-to-date technology," Holder said.

A top Justice Department official said Wednesday that a resolution may be in sight. "Progress has been made in resolving the problems and a fix could be achieved by early next week," said the official, who asked not to be named.

A spokeswoman for Justice's Executive Office of Immigration Review, Kathryn Mattingly, attributed the difficulties to a "hardware failure."

"We are continuing to evaluate the problem and are hard at work to find a solution, however, we do not have an estimated timeline for a complete fix," she said.

The computer breakdown has received only a smattering of attention from the press and has yet to trigger the high-level crisis response that the Obama Administration launched when its new healthcare.gov website ran aground last fall. Some involved say a nationwide computer failure in federal civil or criminal courts would never have been allowed to carry on for more than a few days.

However, those affected directly by the immigration court woes are not U.S. citizens or voters, though their families may be.

"Look at all the publicity over the Obamacare" website, Marks said. "Shouldn't this have the same level of outcry and shock? This is the docketing system for cases involving 360,000 people allegedly in US illegally. Not all are removable, but it's a law enforcement function. I think most of the American people would think that is something that should have multiple redundancies."

The computer woes come as President Barack Obama is under pressure from immigration activists to put a moratorium on expelling people from the U.S. By slowing deportations, the computer breakdown could amount to a de facto concession to those activists.

However, Lichter said most people with cases before the immigration courts are actually eager to get them heard.

"I've got more clients begging for a court date, rather than hoping something happens and their case will get delayed," she said.

While details on the current crash remain scarce, immigration court regulars say the computer systems have long been antiquated and prone to failure.

"It was always said to me that the system that provides this information is so old and based on such outdated programming that if it went down, there were probably only five guys living in Eastern Europe who would know how to turn the system back on again," said Lichter, a past president of the American Immigration Lawyers Association.

In some cases, judges have returned to using four-track audio tape machines to record proceedings because they were unsure whether the digital systems would store the recordings.

Advocates for the immigration courts say Congress and the Obama Administration have repeatedly ramped up enforcement efforts without adequate additional funding for the immigration courts which inevitably end up seeing a higher volume of cases when more people are put into deportation.

“This is kind of the tip of the iceberg,” Marks said of the current breakdown. “If this isn’t a wake-up call for getting off the dime for Congress to work together, I don’t know what is. How embarrassing and ludicrous for a court system to be in this position for so long.”

<http://www.politico.com/blogs/under-the-radar/2014/05/immigration-court-tech-crash-drags-on-188527.html>