

United States Senate

April 2, 2025

Pamela Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Sirce E. Owen
Acting Director
Executive Office for Immigration Review
U.S. Department of Justice
5107 Leesburg Pike
Falls Church, VA 22041

Dear Attorney General Bondi and Mrs. Owen,

The Department of Justice (DOJ) has reportedly fired more than 20 judges serving on immigration courts across the nation, including the Chelmsford Immigration Court in Massachusetts.¹ These firings, which heavily impact New England, have terminated high-level officials—including the Chief Immigration Judge (IJ) of the Executive Office for Immigration Review (EOIR)—supervisory immigration judges and an entire class of 13 newly hired IJs.² The Trump administration has arbitrarily dismissed these hard-working public servants, without compelling reason, in blatant disregard for the fairness and efficiency of the immigration courts. These indefensible firings appear intended to impair the immigration system and to strip vulnerable immigrants of critical due process protections. We urge the Administration to reinstate these fired IJs, halt any further terminations, and provide information regarding EOIR's plan for the immigration court system.

The more than 700 officials who serve as IJs in the Justice Department's EOIR are tasked with the proper functioning of the immigration court system, adjudicating hundreds of thousands of removal cases each year. Even before the recent slew of firings, the immigration courts faced a severe shortage of IJs and a historic backlog of more than 3.6 million cases.³ On average, each

¹ See Giulia McDonnell Nieto del Rio, *'It makes no logical sense': A Mass. immigration judge is among more than 20 fired by Trump administration*, Boston Globe (Feb. 18, 2025),

<https://www.bostonglobe.com/2025/02/18/metro/trump-immigration-judges-fired-deportation-court-cases/>.

² See Eileen Sullivan, *Trump Administration Fires Immigration Judges*, N.Y. Times (Feb. 15, 2025),

<https://www.nytimes.com/2025/02/15/us/politics/trump-administration-continues-immigration-court-crackdown-with-judge-firings.html>.

³ Holly Straut-Eppsteiner, *FY2024 EOIR Immigration Court Data: Caseloads and the Pending Cases Backlog*, Congressional Research Service, (Jan. 24, 2025), https://www.everycrsreport.com/files/2025-01-24_IN12492_e1ab4868fccd274d366faa4f4956802ad18481ab.pdf.

IJ completes 500 to 700 cases annually or more.⁴ Collectively, the IJs who have been terminated thus far would have completed at least 10,000 cases this year alone.⁵ This growing backlog has severe real-world impacts. Many asylum applicants must wait several years in limbo for their valid asylum cases to be heard or to petition for reunification with children and spouses.

Although these firings have nationwide impact, the New England region will suffer particular harm. The immigration court located in Boston, Massachusetts—which serves communities across New England—has routinely faced the largest backlog of pending cases in the country, reaching nearly 160,000 cases in fiscal year 2024.⁶ In April 2024, in an effort to ease the regional workload, EOIR opened a new immigration court in Chelmsford, Massachusetts, which reviews cases from Massachusetts, Maine, New Hampshire, and Rhode Island. The Chelmsford court now faces its own backlog of nearly 60,000 cases.⁷

The Trump administration delivered our region a severe setback when it fired Kerry E. Doyle, a newly appointed IJ for the Chelmsford Immigration Court. There is no indication that the Administration plans to replace Doyle. Her removal will likely lengthen waiting times for asylum-seekers in the region and reduce the number of cases adjudicated each year. Considering each IJ has thousands of cases on their docket, firing even one IJ severely strains the system's scarce capacity. We denounce this termination as ill-advised and as detrimental to the communities we serve.

The Chelmsford Immigration Court is also vulnerable due to the high proportion of IJs in their probationary period, that is, federal employees in their first two years of government service during which IJs have weaker protections from removal. Nearly all the 16 IJs in the newly opened Chelmsford court are on probationary status, whereas roughly 20% of IJs nationwide were hired in the last two years.⁸ The Trump administration has displayed a penchant for targeting probationary federal employees, and has provided no assurances that it will respect the employment of the probationary IJs in our region, or the IJs with long-serving tenures on the immigration court bench. The Administration has even terminated some IJs with up to 4 years of experience.⁹ If the Administration were to fire the more than 300 IJs with less than 4 years of experience, more than 1 million more cases would be left undecided in the backlog this year. These firings have also spurred resignations and demoralized a corps of judges that has long

⁴ Sarah Betancourt, *Fired Massachusetts immigration judge worries about long-term impact of lost staff*, GBH News (Feb. 19, 2025), <https://www.wgbh.org/news/local/2025-02-19/fired-massachusetts-immigration-judge-worries-about-long-term-impact-of-lost-staff>.

⁵ Isabela Dias, *"The Entire System Will Collapse": Inside the Purge of US Immigration Courts*, Mother Jones (Mar. 6, 2025), <https://www.motherjones.com/politics/2025/03/trump-immigration-courts-firing-doge-nonsensical-system-collapse-eoir/>.

⁶ *Id.*

⁷ Aaron Curtis, *Immigration judge in Chelmsford ousted amid political turmoil*, Lowell Sun (Feb. 21, 2025), <https://www.lowellsun.com/2025/02/21/immigration-judge-in-chelmsford-ousted-amid-political-turmoil/>.

⁸ See Giulia McDonnell Nieto del Rio, *'It makes no logical sense': A Mass. immigration judge is among more than 20 fired by Trump administration*, Boston Globe (Feb. 18, 2025), <https://www.bostonglobe.com/2025/02/18/metro/trump-immigration-judges-fired-deportation-court-cases/>.

⁹ See Alejandro Serrano, *Trump administration removes five immigration judges in Texas, union says*, Texas Monthly (Feb. 27, 2025), <https://www.texastribune.org/2025/02/27/texas-immigration-courts-judges-fired/>.

been stretched thin. Already, at least 19 IJs have resigned or retired early since President Trump took office.

Experts warn that the Administration could be poised to politicize the immigration court system by replacing terminated court officials with far-right loyalists.¹⁰ And we are alarmed by news that the Administration is seeking to bypass the IJs altogether by invoking the Alien Enemies Act and expanding the use of “expedited removal,” a fast-track deportation process.¹¹ Individuals deemed “alien enemies” under the Alien Enemies Act have been deported without any court hearing or other form of due process.¹² Meanwhile, individuals placed in expedited removal are not entitled to a hearing before an IJ or to judicial review, with narrow exceptions for those who express fear of persecution or intent to apply for asylum. The designation of some noncitizens as “alien enemies” and the possible expansion of expedited removal—coupled with the firings of IJs—signifies a concerted effort to deprive noncitizens of critical protections and due process rights. This approach could result in the erroneous deportation of individuals with a valid claim of asylum or fear of persecution and even citizens, lawful permanent residents, and visa-holders. These actions are not only cruel and inhumane, they may also contravene U.S. law and international obligations.

To help us better understand the Trump administration’s plans for the immigration courts, please respond in writing by April 11, 2025 to the following questions:

1. How is the Trump administration deciding which immigration judges to terminate nationwide, and, specifically, in the Chelmsford and Boston immigration courts? Please identify the factors that the Administration has considered.
2. Why did the Administration fire 13 newly hired IJs and 7 Assistant Chief IJs (ACIJs) on February 14, 2025? Why has the Administration fired other IJs and ACIJs since February 14? Please identify the reasons for each termination.
3. Why has the Trump administration terminated immigration judges who have served in their roles for longer than two years?
4. Is the Trump administration considering firing additional immigration judges in the Boston or Chelmsford immigration courts?
5. Does the Trump administration plan to re-hire any of the terminated immigration judges? Does the Trump administration plan to replace any of the terminated immigration judges by hiring new immigration judges, including for the Boston or Chelmsford immigration courts?

¹⁰ Hamed Aleaziz, *Trump Administration Fires Immigration Court Officials as Crackdown Begins*, N.Y. Times (Jan. 22, 2025), <https://www.nytimes.com/2025/01/20/us/politics/trump-administration-fires-immigration-judges.html>.

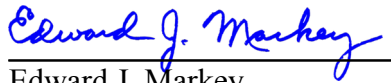
¹¹ Nick Miroff et al., *Trump seeks to fast-track deportations of hundreds of thousands*, Wash. Post (Feb. 28, 2025), <https://www.washingtonpost.com/immigration/2025/02/28/ice-expedited-removal-mass-deportation/>.

¹² *Policy Brief: The Alien Enemies Act*, American Immigration Lawyers Association (Mar. 18, 2025), <https://assets.aila.org/files/64c9aa3a-6a94-4db0-8c78-d6024b47729d/25031831.pdf?1742319322>.

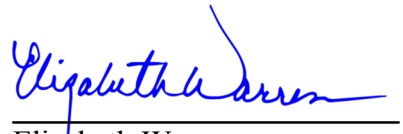
6. How does the Trump administration intend to address the backlog of roughly 160,000 removal cases in the Boston and Chelmsford immigration courts?
7. Is the Trump administration planning on taking other actions that would obviate the need for more immigration judges? For example, is the Administration planning to expand the use of expedited removal in order to bypass the immigration courts?

Thank you in advance for your attention to this matter. We look forward to receiving your prompt responses to our questions.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator



Sheldon Whitehouse
United States Senator