

**U.S. Department of Justice
Executive Office for Immigration Review**

**STATISTICAL YEAR BOOK
2000**



Prepared by the Office of Planning and Analysis

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JANUARY 2001

Sections M and P Amended 4/30/01

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Summary of Highlights

- , Receipts by the immigration courts increased by 10 percent between FY 1999 (232,389) and 2000 (254,515). Previously, receipts had declined by 14 percent between FY 1998 and 1999. This decline may have been influenced by the passage of the Illegal Immigration and Immigrant Responsibility Act (IIRIRA) of 1996. IIRIRA granted the Immigration and Naturalization Service (INS) authority to deny admission to individuals arriving in the United States by fraudulent means or without proper entry documents.
- , Case appeal receipts by the Board of Immigration Appeals (BIA) increased 16 percent between FY 1999 and 2000.
- , Mexico, China and Central American countries represent the predominant nationalities of immigration court cases (completions) during FY 2000.
- , Mexico and China represent the predominant nationalities of BIA cases (completions) during FY 2000.
- , Spanish language cases represent the most frequently-spoken language for immigration court cases (completions) during FY 2000.
- , More than half (based on completed cases) of the aliens who appeared in immigration court were unrepresented during FY 2000. Forty-four percent of aliens were represented by private or other authorized representatives.
- , Sixty-six percent of the aliens who appealed to the BIA in FY 2000 were represented (based on completed cases).
- , Asylum filings at the immigration courts decreased 6 percent from FY1999 (54,266 filings) to 2000 (50,861 filings).
- , In 2000, the top nationality granted asylum in the immigration courts was Chinese.
- , Immigration courts adjudicated 12,432 Convention Against Torture (CAT) applications in FY 2000. Out of 12,432 completions, 41 percent involved a detained or previously detained alien. Based on the decisions rendered, over 94 percent of CAT applications were denied.
- , Thirty-three percent of FY 2000 immigration court completions involved detained aliens.

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Introduction

The Executive Office for Immigration Review (EOIR) was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization that combined the Board of Immigration Appeals (BIA) with the Immigration Judge function previously performed by the Immigration and Naturalization Service (INS). Besides establishing EOIR as a separate agency within DOJ, this reorganization made the immigration courts independent of INS, the agency charged with enforcement of federal immigration laws.

EOIR's Office of the Chief Immigration Judge supervises 219 immigration judges located in 52 courts throughout the United States. Eighteen of the 52 immigration courts are located in either detention centers or prisons. Additionally, immigration judges travel to over 100 other hearing locations to conduct proceedings. At each proceeding, an INS trial attorney represents the U.S. government, while the respondent alien appears on his or her own behalf or retains an attorney at no expense to the government. An immigration judge decides if the alien is removable as charged. A judge's decision is administratively final, unless appealed or certified to the BIA.

The BIA, located in Falls Church, VA, conducts appellate review of decisions rendered by immigration judges. Another EOIR component, the Office of the Chief Administrative Hearing Officer (OCAHO), resolves cases concerning employer sanctions, immigration-related employment discrimination and document fraud.

EOIR collects information about aliens who appear in immigration court and who appeal their cases to the BIA. Both immigration court staff, located throughout the United States, and BIA staff, record and update case information in EOIR's information processing system, the Automated Nationwide System for Immigration Review (ANSIR).

The following report is intended to provide an introduction to the types of immigration matters processed by EOIR on a daily basis. Included in this report is case data from FY 1996 to the present.

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Total Matters Received and Completed by the Immigration Courts

Aliens charged by the Immigration and Naturalization Service (INS) with violating the immigration laws are issued a *Notice to Appear* (NTA) at one of the immigration courts. During court proceedings, aliens appear before a judge and either contest or concede the charges. During some proceedings, the judge may adjourn and set a continuance date for various reasons, such as allowing the alien time to obtain representation or to file an application for relief. After hearing the case, the judge renders a decision. Proceedings may also be completed for other reasons, such as administrative closings, changes of venue, transfers, and grants of temporary protective status.

Additionally, other matters,¹ such as bonds and motions are considered by immigration judges. If detained, the alien may be required to post a bond with the INS before release. If the alien disagrees with the bond amount set by the INS, the alien has the right to ask an immigration judge to redetermine the bond amount. During bond redetermination hearings, judges may decide to either raise, lower, or maintain the original bond amount set by INS. In some cases, the judge will eliminate the bond completely, or change any of the bond conditions over which the immigration court has authority. Aliens may also request by motion the reopening or reconsideration of a case previously heard by an immigration judge. Generally, aliens file such motions because of changed circumstances. Denial of a motion may be appealed to the Board of Immigration Appeals or to the federal courts. INS may also file a motion to reopen a case.

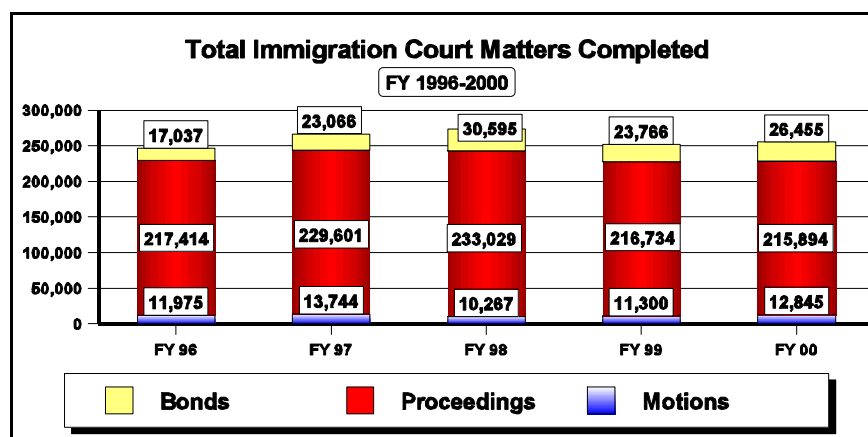


Figure 1

¹For the purpose of this year book, matters include all proceedings, bonds, and motions. Types of proceedings include deportation, removal, exclusion, rescission, credible fear, etc.

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As shown above in Figure 1, the number of matters received by the immigration courts increased 10 percent between FY 1996 and 1997, decreased by 7 percent between FY 1997 and 1998, and by 14 percent between FY 1998 and 1999. Between FY 1999 and FY 2000, the number of matters received by the immigration courts increased by 10 percent. The decline in FY 1998 and 1999 may have been influenced by the passage of the Illegal Immigration and Immigrant Responsibility Act (IIRIRA) of 1996. IIRIRA granted INS authority to deny admission to individuals arriving in the United States by fraudulent means or without proper entry documents. Previously, such individuals were issued a *Notice to Applicant for Admission Detained for Hearing Before Immigration Judge* (Form I-122), and placed in exclusion proceedings.

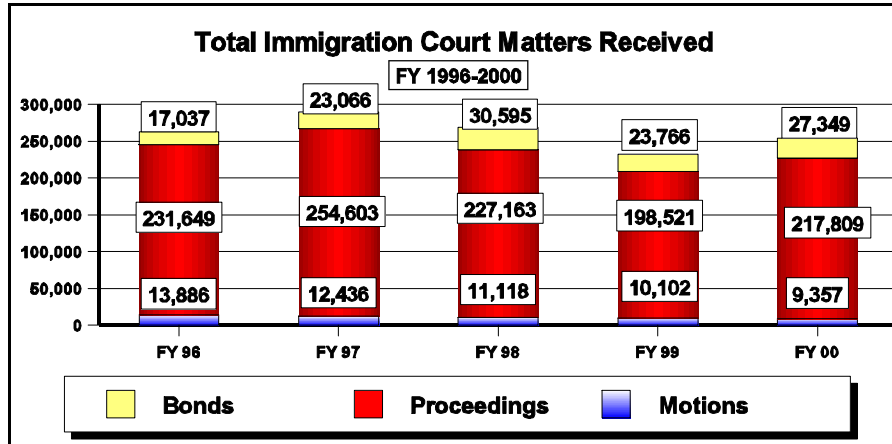


Figure 2

Similarly, the number of matters completed by the immigration courts increased between FY 1996 and 1997, decreased from FY 1997 to 1999 and increased slightly from FY 1999 to FY 2000. Figures 1 and 2 reflect that in FY 1996 and 1997, receipts exceeded completions at the immigration courts for all matters. Starting in FY 1998 and continuing through FY 2000, completions have exceeded receipts.

Following in Table 1, we compared matters received by the immigration courts from FY 1999 to FY 2000. Overall, receipts increased by 10 percent from FY 1999. Immigration courts located in Bradenton, FL; San Antonio, TX; Portland, OR; and Tucson, AZ showed increases of 50 percent or more in receipts from FY 1999 to FY 2000.

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Table 1 - Total Immigration Court Matters Received for FY 1999 and 2000

FY 1999	Immigration Court	FY 2000	Rate of Change
3,417	ARLINGTON, VIRGINIA	3,267	-4%
5,393	ATLANTA, GEORGIA	4,445	-18%
3,066	BALTIMORE, MARYLAND	3,109	1%
1,135	BATAVIA SPC	1,023	-10%
4,702	BOSTON, MASSACHUSETTS	5,520	17%
1,239	BRADENTON COUNTY JAIL	1,995	61%
2,741	BUFFALO, NEW YORK	3,108	13%
7,888	CHICAGO, ILLINOIS	11,618	47%
6,807	DALLAS, TEXAS	7,907	16%
4,566	DENVER, COLORADO	5,591	22%
3,181	DETROIT, MICHIGAN	3,934	24%
3,565	EL CENTRO, CALIFORNIA	5,253	47%
9,595	EL PASO, TEXAS	9,699	1%
873	ELIZABETH SPC	614	-30%
7,708	ELOY BUREAU OF PRISONS FACILITY	7,645	-1%
5,967	FLORENCE, ARIZONA	7,140	20%
10,719	HARLINGEN, TEXAS	10,326	-4%
1,336	HARTFORD, CONNECTICUT	1,557	17%
552	HONOLULU, HAWAII	541	-2%
3,570	HOUSTON SERVICE PROCESSING CENTER	3,895	9%
4,661	HOUSTON, TEXAS	4,393	-6%
1,994	IMPERIAL, CALIFORNIA	967	-52%
2,959	KROME NORTH SPC	4,208	42%
2,070	LAS VEGAS, NEVADA	2,281	10%
17,677	LOS ANGELES, CALIFORNIA	17,771	1%
1,087	MEMPHIS, TENNESSEE	1,212	11%
17,910	MIAMI, FLORIDA	14,425	-19%
3,700	MIRA LOMA DETENTION FACILITY	5,206	41%
1,599	NEW ORLEANS, LOUISIANA	1,875	17%
16,132	NEW YORK CITY, NEW YORK	19,683	22%
1,402	NEW YORK STATE DOC- FISHKILL	1,047	-25%
1,502	NEW YORK STATE DOC - ULSTER	1,085	-28%
1,980	NEW YORK VARICK SPC	2,342	18%
4,429	NEWARK, NEW JERSEY	5,490	24%
3,671	OAKDALE FEDERAL DETENTION CENTER	3,422	-7%
2,031	ORLANDO, FLORIDA	1,951	-4%
1,884	OTAY MESA, CALIFORNIA	1,593	-15%
1,909	PHILADELPHIA, PENNSYLVANIA	2,384	25%
2,181	PHOENIX, ARIZONA	2,064	-5%
8,165	PORT ISABEL SPC	10,826	33%
556	PORTLAND, OREGON	1,098	97%
731	QUEENS WACKENHUT FACILITY	759	4%
9,116	SAN ANTONIO, TEXAS	13,708	50%
5,619	SAN DIEGO, CALIFORNIA	6,489	15%
11,789	SAN FRANCISCO, CALIFORNIA	9,064	-23%
1,936	SAN JUAN, PUERTO RICO	2,338	21%
3,339	SAN PEDRO, CALIFORNIA	4,298	29%
5,500	SEATTLE, WASHINGTON	5,951	8%
1,852	ST. PAUL, MINNESOTA	2,312	25%
1,610	TEXAS DOC- HUNTSVILLE	1,310	-19%
958	TUCSON, ARIZONA	2,097	119%
2,420	YORK COUNTY PRISON	2,679	11%
232,389	Total	254,515	10%

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Total Cases Received and Completed by the Board of Immigration Appeals

The Board of Immigration Appeals (BIA) has nationwide jurisdiction to hear appeals from certain decisions rendered by immigration judges (IJ) or INS district directors (DD). BIA decisions are binding on all INS officers and immigration judges unless modified or overruled by the Attorney General or a federal court. The majority of cases reviewed by the BIA involve decisions made in removal, deportation, and exclusion proceedings, and for the purposes of this year book are referred to as IJ appeals. Other types of cases over which the BIA has jurisdiction include certain appeals of INS decisions involving (1) family-based visa petitions adjudicated by INS DDs or Regional Service Center directors; (2) fines and penalties imposed upon carriers for violations of immigration laws; and (3) bonds set subsequent to an immigration judge's ruling. For the purposes of this year book, appeals from these INS decisions are referred to as DD appeals.

Before July 1, 1996, all IJ appeals to the BIA were filed with the immigration courts. In FY 1996, new regulations streamlined the filing process by requiring that all appeals be filed directly with the BIA in Falls Church, Virginia. The new regulations also established a 30-day period, from the date of an IJ decision, for filing an appeal. Figure 3 depicts the 16 percent increase in IJ appeal receipts that occurred between FY 1996 and 2000. Although, receipts of DD appeals fluctuated during the same time period, FY 2000 receipts increased by 61 percent when compared to FY 1996.

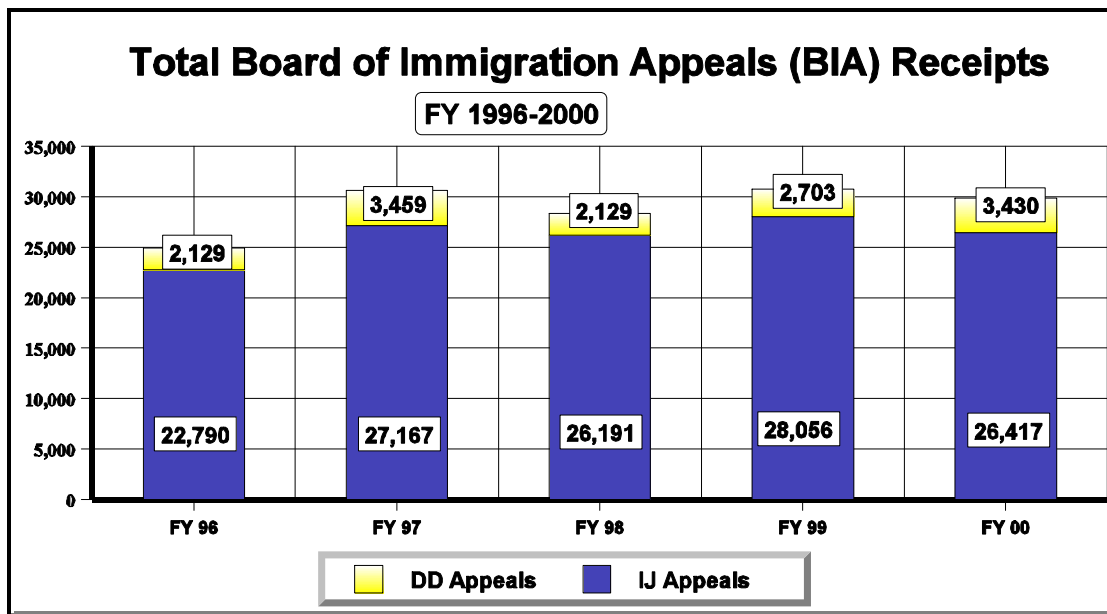


Figure 3

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The data in Figure 4 shows that between FY 1996 and 1998, the number of BIA completions increased significantly. Most notably, the dramatic increase in completions that occurred in FY 1998 is attributable to the Nicaraguan Adjustment and Central American Relief Act and the Haitian Refugee Immigration Fairness Act. As a result of key provisions in both Acts, the BIA remanded or administratively closed nearly 6,000 appeals. After the FY 1998 surge, FY 2000 completions decreased.

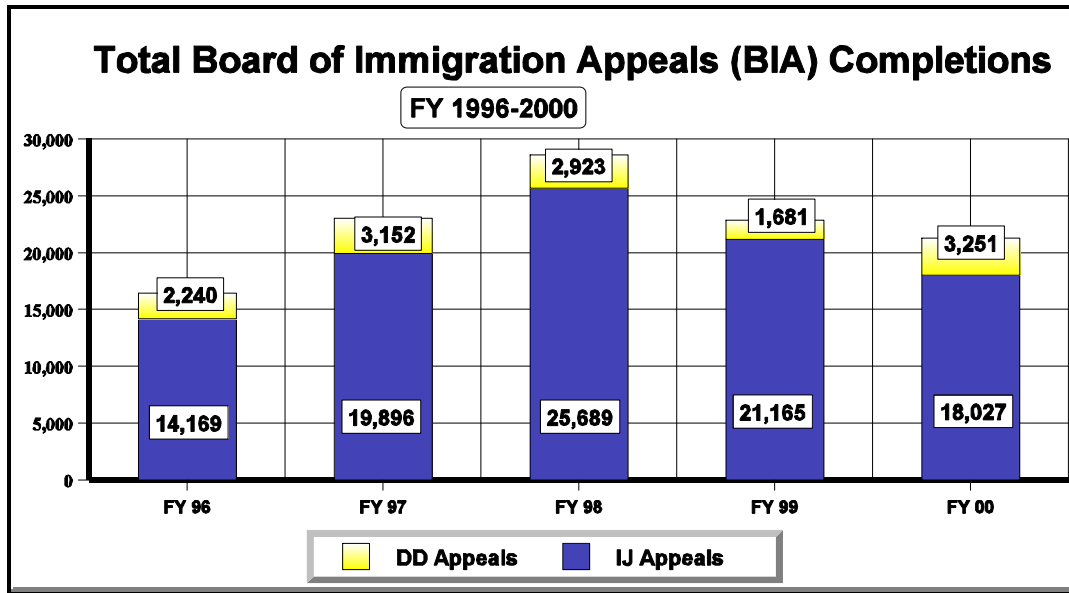


Figure 4

The BIA receipts and completions depicted above in Figures 3 and 4 represent cases. One case involves one lead alien and may also include other family members. EOIR is able to provide a total count of aliens whose cases were received and completed by the BIA. Table 2 contains data on the number of aliens whose cases were received or completed by the BIA between FY 1996 and 2000.

Table 2 - Total BIA Receipts and Completions (by Alien)

	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Receipts-IJ Appeals	26,609	31,544	30,068	32,339	31,931
Receipts-DD Appeals	2,129	3,459	2,129	2,703	3,430
Total Number of Aliens	28,738	35,003	32,197	35,042	35,361
Completions-IJ Appeals	16,064	21,946	30,362	23,367	19,933
Completions-DD Appeals	2,240	3,152	2,923	1,681	3,251
Total Number of Aliens	18,304	25,098	33,285	25,048	23,184

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Immigration Court Matters Received and Completed by Type

Under the immigration laws in effect in FY 1996, individuals charged by the INS as inadmissible or deportable were placed in either deportation or exclusion proceedings. At that time, EOIR's jurisdiction began when INS filed either an *Order to Show Cause* (OSC) or a *Notice to Applicant for Admission Detained for Hearing Before Immigration Judge* (Form I-122). As depicted in Table 3, the immigration courts primarily received OSCs in FY 1996 and the judges mostly heard deportation cases. Rescissions, a less common type of case, were also received by the immigration courts. In a rescission case, INS issues a *Notice of Intent to Rescind* an individual's permanent resident status, and the individual has the right to contest the charge before an immigration judge.

Under IIRIRA reform in FY 1996, INS must file a *Notice to Appear* (NTA) to initiate removal (formerly deportation) proceedings. Immigration courts began receiving removal cases in FY 1997. Besides removal cases, IIRIRA established three new types of cases. In credible fear cases, an immigration judge conducts a hearing for an alien who has already been found not to have a "credible fear" by INS, and based on that finding, is subject to expedited removal. If the immigration judge determines there is "credible fear," the judge will vacate the INS order of expedited removal. In a claimed status review, an immigration judge determines if an individual's claim to be a citizen or lawful permanent resident of the United States is valid. An asylum only case is initiated when an arriving "crewman or stowaway" is not eligible to apply for admission into the United States, but wants to request asylum. Table 3 includes all types of matters received by the immigration courts between FY 1996 and 2000 including bonds and motions.

Table 3 - FY1996-2000 Immigration Court Matters Received by Type

Type of Matter	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Deportation	197,678	142,433	19,387	12,497	10,268
Exclusion	33,824	22,767	1,575	1,551	1,217
Removal	0	89,071	205,771	183,653	203,497
Credible Fear	0	163	90	127	199
Claimed Status	0	49	129	117	162
Asylum Only	0	27	167	536	2,424
Rescission	147	93	44	40	42
Bonds	17,037	23,066	30,595	23,766	27,349
Motions	13,886	12,436	11,118	10,102	9,357
Total	262,572	290,105	268,876	232,389	254,515

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Table 4 includes the number of immigration court matters completed between FY 1996 and 2000. In addition to the new proceedings mandated under IIRIRA, immigration judges continue to rule on pre-IIRIRA deportation and exclusion cases. As a result, the FY 2000 immigration court caseload is more varied than in FY 1996.

Table 4- FY1996-2000 Immigration Court Matters Completed by Type

Type of Matter	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Deportation	179,493	156,691	56,666	34,058	16,773
Exclusion	37,806	26,195	4,540	1,990	1,423
Removal	0	46,354	171,405	180,088	195,570
Credible Fear	0	160	91	124	196
Claimed Status	0	44	131	115	159
Asylum Only	0	15	123	305	1,714
Rescission	115	142	73	54	59
Bonds	17,037	23,066	30,595	23,766	26,455
Motions	11,975	13,744	10,267	11,300	12,845
Total	246,426	266,411	273,891	251,800	255,194

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Board of Immigration Appeals Cases Received and Completed by Type

The Board of Immigration Appeals (BIA) reviews the following: (1) appeals filed from the decisions of immigration judges on motions to reopen proceedings; (2) appeals pertaining to bond, parole, or detention; (3) case appeals from the decisions of immigration judges in removal, deportation, and exclusion proceedings; (4) interlocutory appeals relating to important jurisdictional questions regarding the administration of the immigration laws or recurring problems in the handling of cases by immigration judges; and (5) motions to reopen cases already decided by the BIA. Types of appeals from INS decisions reviewed by the BIA include (1) waivers of inadmissibility for non-immigrants under the Immigration and Nationality Act 212(d)(3); (2) bonds set subsequent to an immigration judge ruling; (3) fines and penalties imposed upon air carriers for violations of immigration laws; and (4) family-based visa petitions adjudicated by INS DDs or Regional Service Center directors. Table 5 includes a breakdown of the types of cases received by the BIA between FY 1996 and 2000.

Table 5 - FY1996-2000 BIA Cases Received by Type

Type of IJ Appeal	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Appeal of IJ Motion To Reopen	1,261	2,433	1,634	1,579	1,929
Bond Appeal	951	853	812	845	617
Case Appeal	17,630	20,661	21,017	22,130	21,335
Interlocutory Appeal	39	198	202	141	112
Motion To Reopen-BIA	2,909	3,022	2,526	3,361	2,424
IJ Appeal Total	22,790	27,167	26,191	28,056	26,417
Type of DD Appeal					
INS 212 Waiver Decisions	80	70	67	31	45
INS Bond Decisions	3	9	8	73	109
INS Decisions on Fines and Penalties	1	26	52	1,309	2,059
INS Decisions on Visa Petitions	2,045	3,354	2,002	1,290	1,217
DD Appeal Total	2,129	3,459	2,129	2,703	3,430
Grand Total	24,919	30,626	28,320	30,759	29,847

Table 6 includes a breakdown of cases completed by the BIA between FY 1996 and 2000. A stay prevents the INS from executing an order of removal, deportation, or exclusion. The BIA is authorized to consider certain stay requests. Table 6 includes the number of stay requests considered by the BIA between FY 1996 and 2000.

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Table 6 - FY1996-2000 BIA Cases Completed² by Type

Type of IJ Appeal	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Appeal of IJ Motion To Reopen	1,201	1,242	1,308	1,667	1,019
Bond Appeal	450	886	823	898	759
Case Appeal	10,494	14,812	20,173	15,865	12,907
Interlocutory Appeal	1	89	224	169	102
Motion To Reopen-BIA	2,023	2,867	3,161	2,566	3,240
IJ Appeal Total	14,169	19,896	25,689	21,165	18,027
Type of DD Appeal					
INS 212 Waiver Decisions	70	94	87	24	38
INS Bond Decisions	2	5	6	13	169
INS Decisions on Fines and Penalties	0	20	11	347	1,789
INS Decisions on Visa Petitions	2,168	3,033	2,819	1,297	1,255
DD Appeal Total	2,240	3,152	2,923	1,681	3,251
Other Type of BIA Case					
Stays	170	229	222	172	229
Other Total	170	229	222	172	229
Grand Total	16,579	23,277	28,834	23,018	21,507

²The BIA is authorized to consider stay requests for matters within its jurisdiction.

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Immigration Court Cases by Nationality (Completions Only)

Immigration court staff record the nationality of aliens scheduled to appear before immigration judges in EOIR’s data system. Figure 5 shows a breakdown of FY 1996 immigration court cases by nationality and by the percent of total completions. Table 7 lists the same percent and includes the corresponding number of actual cases. Overall, Mexico and Central American countries represent the predominant nationalities of immigration court completions during FY 1996. The largest group by nationality was from Mexico and accounted for 38 percent of total completions. Guatemala represented the second largest group with 9 percent. El Salvador had 7 percent, while Honduras represented 5 percent and Nicaragua represented 4 percent.

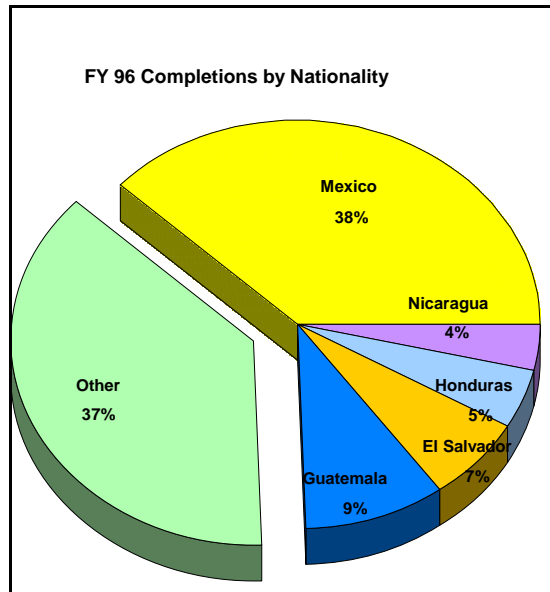


Figure 5

Table 7 - Top FY 1996 Nationalities

Nationality	Total Cases	Percent of Total
Mexico	84,025	38%
Other	82,231	37%
Guatemala	20,503	9%
El Salvador	15,182	7%
Honduras	9,911	5%
Nicaragua	7,825	4%

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Since all other nationalities each comprised 3 percent or less, we have included them in the "Other" category. A breakdown of the top five nationalities in the "Other" category is shown in Table 8.

Table 8 - Top 5 "Other" 1996 Nationalities

Nationality	Total Cases	Percent of Total
China	6,930	3%
Haiti	5,643	3%
Cuba	5,321	2%
India	5,111	2%
D. Republic	4,687	2%

A similar breakdown of completed cases for FY 2000 is shown in Figure 6 and Table 9. The top nationality was Mexico (30%), followed by two Central American countries, --El Salvador had the second largest representation at 10 percent, followed by Honduras at 8 percent. China followed at 7 percent and Guatemala was at 6 percent. All other nationalities are included in the "Other" category in Figure 6. The top five "Other" nationalities are shown on Table 10.

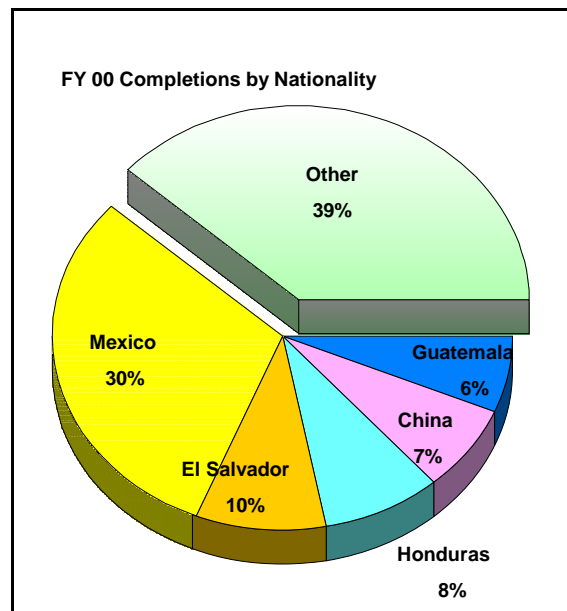


Figure 6

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Table 9 - Top FY 2000 Nationalities

Nationality	Total Cases	Percent of Total
Other	83,000	39%
Mexico	65,010	30%
El Salvador	20,372	10%
Honduras	17,978	8%
China	15,502	7%
Guatemala	13,576	6%

Table 10 - Top 5 "Other" 2000 Nationalities

Nationality	Total Cases	Percent of Total
Cuba	7,199	3%
Haiti	6,508	3%
D. Republic	5,026	2%
India	3,420	2%
Colombia	3,362	2%

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Board of Immigration Appeals Cases by Nationality (Completions Only)

A breakdown of the top five nationalities for BIA completed cases in FY 1996 and 2000 is shown in Table 11. We have only included appeals to the decisions of immigration judges and not appeals of INS district directors. Figures 7 and 8 provide a graphic representation of the percent of total completed BIA cases by nationality for FY 1996 and 2000. In FY 1996, Chinese and Mexican nationals each comprised 14 percent of total BIA cases completed. In FY 2000, Mexico increased in ranking representing 22 percent of total appellate cases.

Table 11 - Breakdown of BIA Cases By Nationality (Completions Only)

FY 1996			FY 2000		
Total Cases	Nationality	% of Total	Total Cases	Nationality	% of Total
2,029	China	14%	3,985	Mexico	22%
2,022	Mexico	14%	2,094	China	12%
1,314	Nicaragua	9%	1,225	El Salvador	7%
1,005	El Salvador	7%	849	D. Republic	5%
970	Guatemala	6%	802	Guatemala	4%
7,040	Others	49%	9,072	Others	50%

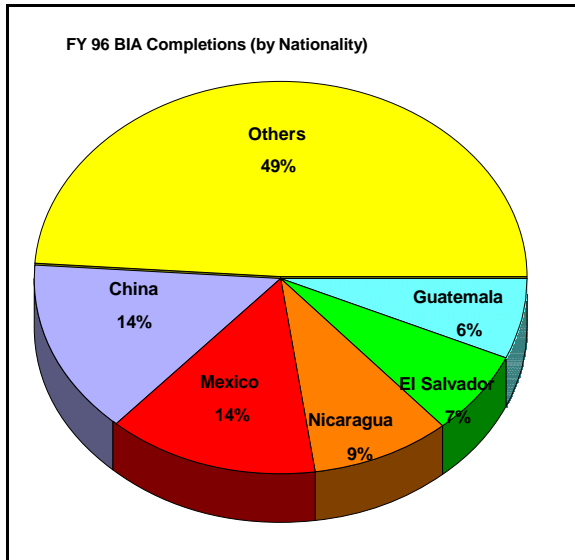


Figure 7

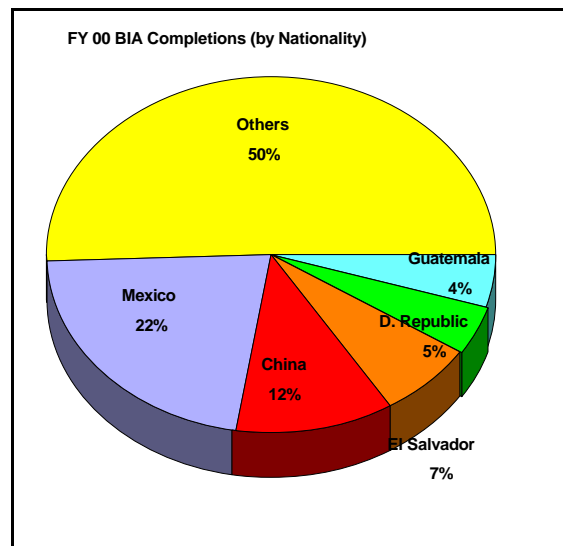


Figure 8

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Immigration Court Cases by Language (Completions Only)

Figure 9 shows a breakdown of FY 1996 immigration court completed cases by language. Of the 148 languages spoken during FY 1996 in court proceedings, 85.3 percent were in the following four languages: Spanish, English, Creole, and Punjabi. In 1.9 percent of completed cases, the language spoken by the respondent was unknown and therefore not reported.

- ! Spanish language cases were 68.2 percent of the total caseload.
- ! In the "Other" category—Foo Chow, Mandarin, and Russian represented the three most frequently spoken languages.

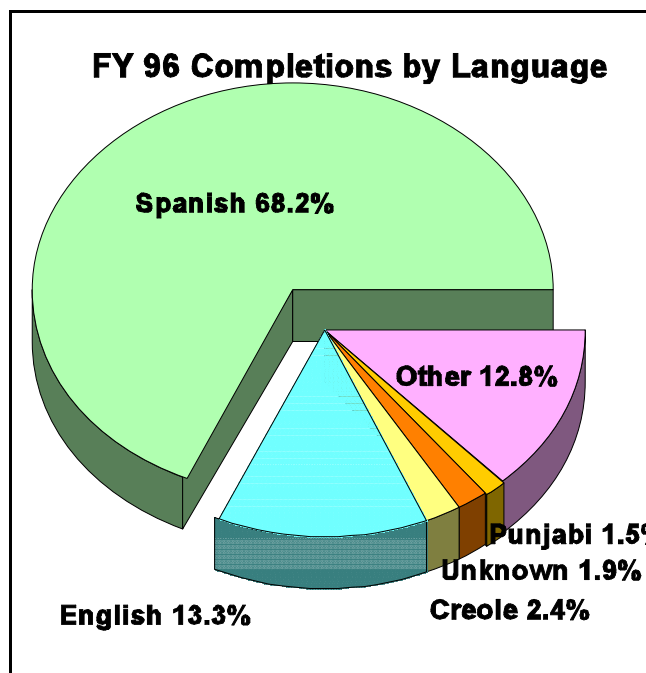


Figure 9

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Figure 10 shows a breakdown of FY 2000 completions by language. Of 191 languages used in the immigration courts during FY 2000, 84.7 percent were in the following five languages: Spanish, English, Foo Chow, Mandarin, and Creole. Both Mandarin and Foo Chow have showed dramatic increases when compared to FY 1996.

- ! Spanish language cases were 61.5 percent of the total caseload.
- ! In the "Other" category—Russian, Punjabi, and Albanian represented the three most frequently spoken languages.

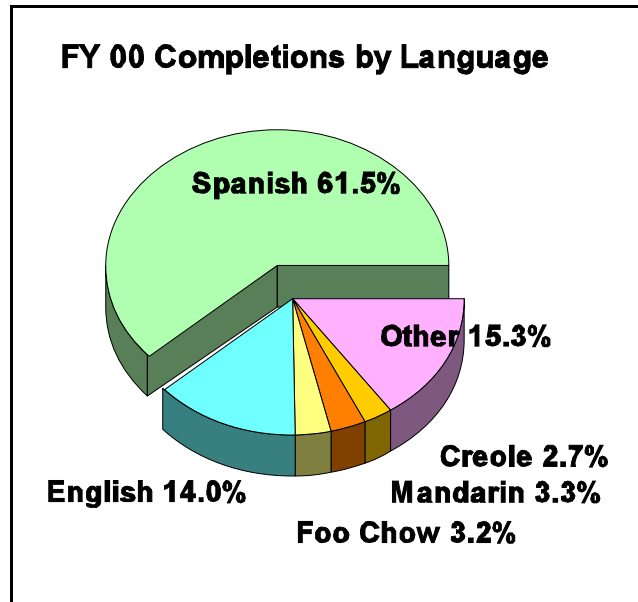


Figure 10

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Immigration Court Case Completions

After a hearing, the immigration judge will either render an oral decision or reserve the decision and issue it a later date. Decisions may include a determination on whether INS should remove the alien from the United States or whether the alien is to be granted relief. Some cases are administratively closed and the immigration judge does not render a decision on the merits. In addition to administrative closures, cases may be completed when an alien is granted temporary protective status or where INS fails to prosecute the case. If the case is transferred to a different hearing location or if the immigration judge grants a change of venue, EOIR will also count it as an "Other" completion for statistical purposes. Depicted in Figure 11 is a breakdown of cases from FY 1996 to 2000 by type of completion --- either through an IJ decision or through an "Other" completion, such as administrative closure or change of venue.

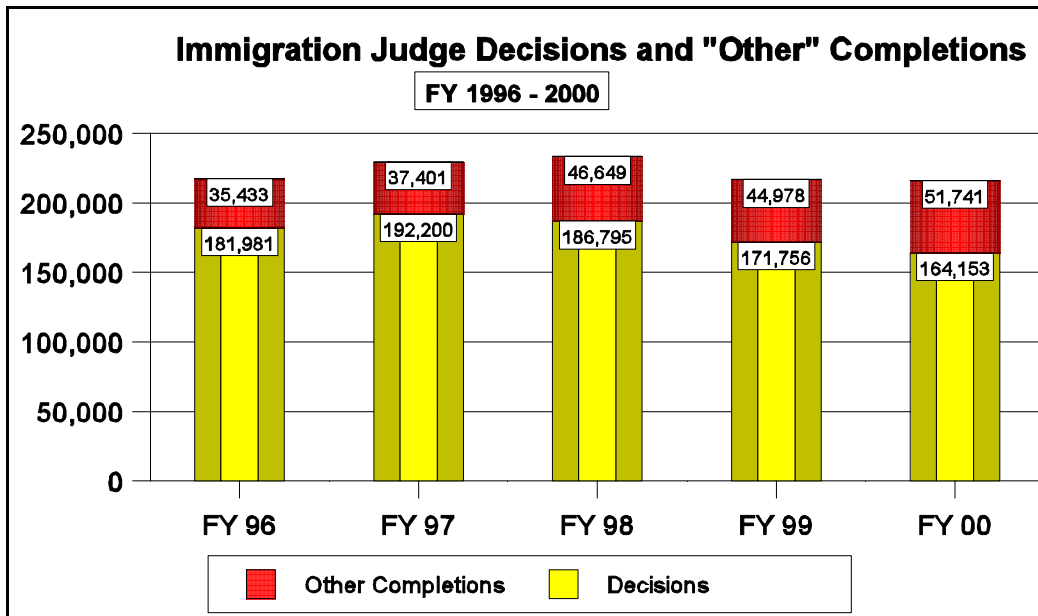


Figure 11

Between FY 1996 and 2000, the overall percentage of cases counted as "Other" completions rose gradually. During FY 1996 and 1997, the percent of "Other" completions remained constant at 16 percent of overall case completions. In FY 1998, "Other" completions went up to 20 percent of overall completions. Some of the 20 percent increase that occurred in FY 1998 is likely attributable to cases administratively closed because of the Haitian Refugee and Immigration Fairness Act. In FY 2000, "Other" completions, when compared to "Decision" completions, comprised 24 percent of the overall number.

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Figure 12 shows a breakout of decisions by disposition type. Immigration judges first decide whether or not the charges against an alien should be sustained. If the charges are sustained, the judge decides whether to order the alien removed from the United States or to grant relief. If the charges are not sustained, the judge will terminate the case.

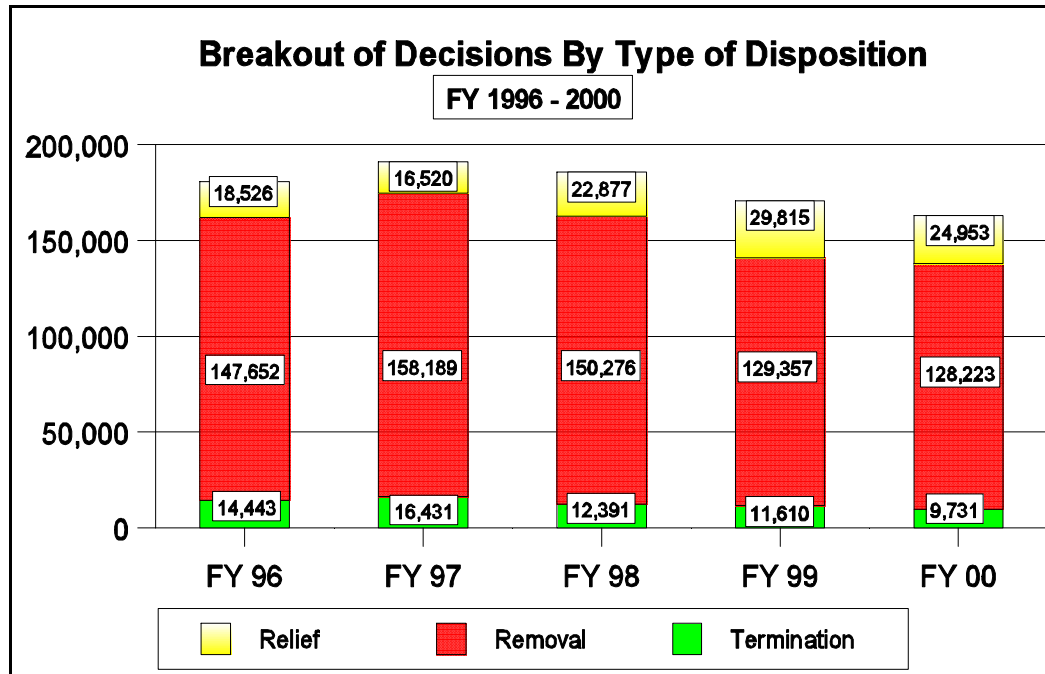


Figure 12

During the five-year period included in this report, the overall percent of aliens ordered removed has decreased, and the percent of aliens granted relief has increased. In 82 percent of the FY 1996 cases depicted in Figure 12, the immigration judge ordered the alien removed from the United States, and in 10 percent of the cases the judge granted relief. Terminations comprised the remaining percent of the cases. By comparison, in 79 percent of the FY 2000 cases depicted in Figure 12, the alien was ordered removed and in 15 percent of the cases the judge granted relief. Again, terminations comprised the remaining percent. We have included a breakdown by disposition type in Table 12.

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**Table 12 - Immigration Court Case Completions by Type of Disposition
FY 1996 - FY2000**

	FY 96	FY 97	FY 98	FY 99	FY 00
<u>DECISIONS IN ALL CASES</u>					
REMOVAL	147,652	158,189	150,276	129,357	128,223
TERMINATION	14,443	16,431	12,391	11,610	9,731
RELIEF	18,526	16,520	22,877	29,815	24,953
Other Decisions	1,360	1,060	1,251	974	1,246
TOTAL DECISIONS	181,981	192,200	186,795	171,756	164,153
"OTHER" COMPLETIONS	35,433	37,401	46,649	44,978	51,741
<i>Grand Total</i>	217,414	229,601	233,039	216,734	215,894

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Immigration Court Completions By Representation Status

During immigration court proceedings, some aliens are represented by a private or other authorized representative while others have no counsel. Before representing an alien, representatives must file a *Notice of Appearance* (EOIR-28) with the immigration court. For those aliens without counsel, the immigration judge will explain their rights.

As shown in Figure 13, more than half of aliens who appear in immigration court are unrepresented. Aliens were represented in only 37 percent of FY 1996 completions. Since FY 1996, the percentage of representation has gradually increased. For FY 1997 completions, 40 percent of aliens were represented, and for FY 1999 completions, 48 percent were represented. However, in FY 2000, the percentage of representation decreased to 44 percent of immigration court completions.

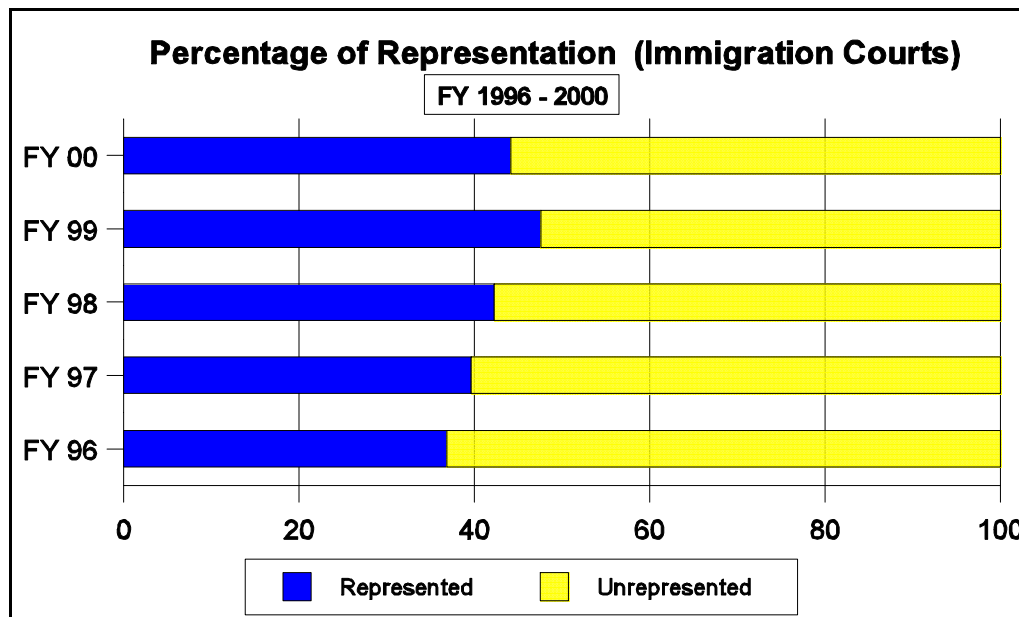


Figure 13

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Board of Immigration Appeals Completions By Representation Status

All representatives must file a *Notice of Entry of Appearance as Attorney or Representative with the BIA* (EOIR-27). As shown in Figure 14, 59 percent of appellate cases completed by the BIA in FY 1996 involved represented aliens. Representation increased to 66 percent in FY 1997, but decreased to 62 percent in FY 1998. In FY 2000, 66 percent of appellate cases completed by the BIA involved a represented alien.

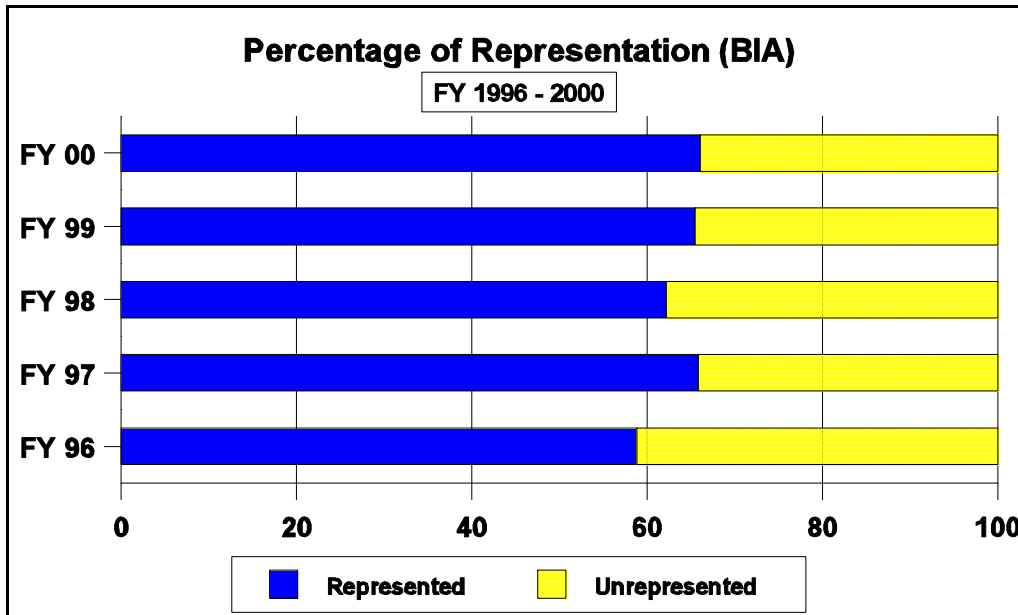


Figure 14

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Failures to Appear (Immigration Courts)

When an alien fails to appear (FTA) for a hearing, an immigration judge will usually conduct an *in absentia* (in absence of) hearing and order the alien removed from the United States. Before an immigration judge orders the alien removed *in absentia*, the INS trial attorney must establish by clear, unequivocal, and convincing evidence that the alien is removable. Additionally, the immigration judge must be satisfied that notice of time and place of the hearing were provided to the alien or the alien's representative.

Besides "in absentia" orders, an FTA by an alien may result in an administrative closure. In most administrative closures, the alien fails to appear for a hearing but is not ordered removed *in absentia*. Depicted in Figure 15 is the overall failures to appear for FY 1996 to FY 2000 as compared to total immigration court completions for the same time period. Included in this overall figure is both the number of *in absentia* orders and administrative closures for all aliens regardless of custody status.

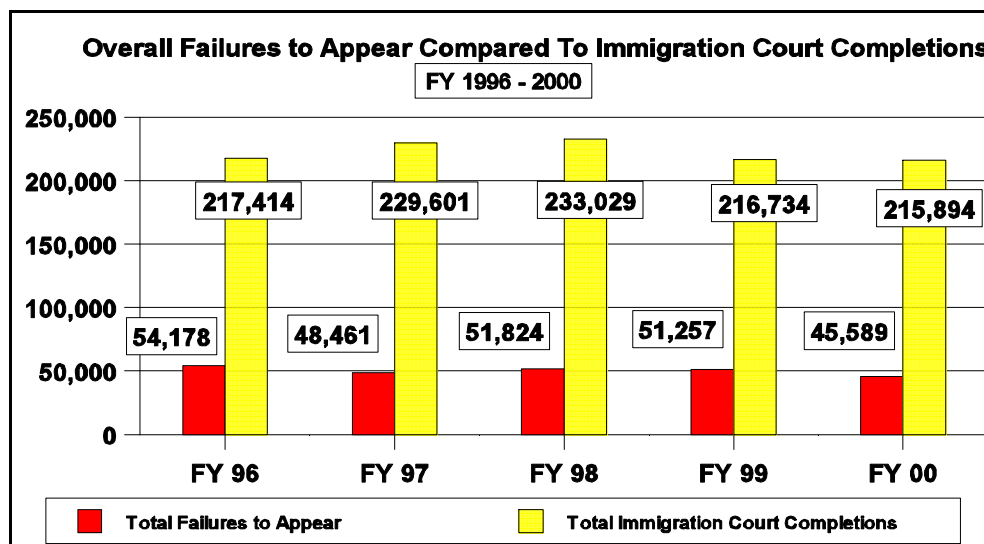


Figure 15

Overall, aliens failed to appear for 25 percent of hearings conducted in FY 1996. The overall FTA rate has decreased since FY 1996. In FY 1997, the FTA rate was 21 percent and increased to 24 percent in FY 1999. During FY 2000, the rate again decreased to 21 percent.

Figure 16 shows the number of failures to appear for non-detained aliens. In non-detained cases, an alien may have been previously detained by the INS but the immigration courts were never notified. In Figure 17, the number of failures to appear for released aliens is shown. A released alien was previously detained by the INS but subsequently released on bond. Non-appearance for detained aliens is not shown since this number has remained fairly consistent since FY 1996 and is less than 2 percent of total immigration court detained completions.

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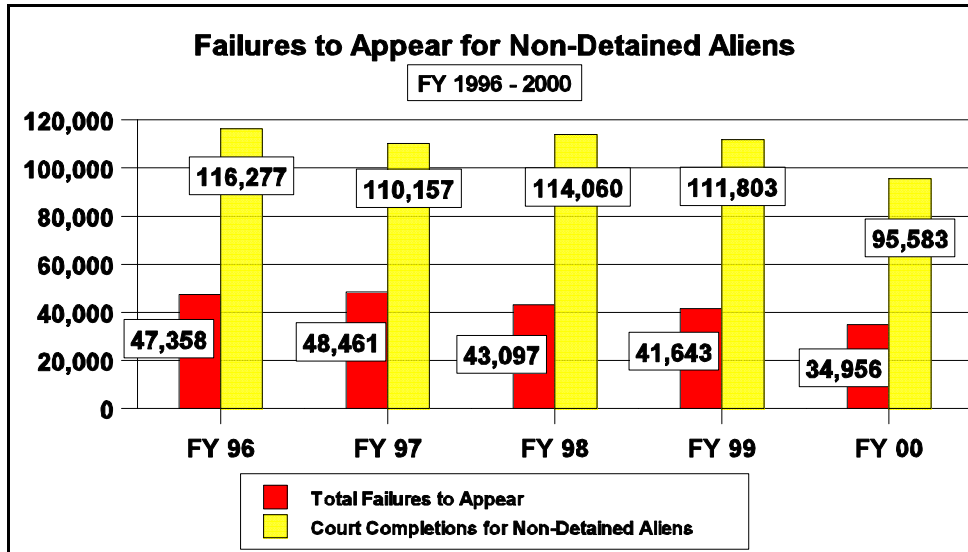


Figure 16

Figure 16 shows FTAs for non-detained aliens. In FY 1996, the FTA rate for non-detained alien was 41 percent. Between FY 1998 and 2000, this rate has decreased. In FY 2000, 37 percent of non-detained aliens scheduled in immigration court did not appear for the hearing.

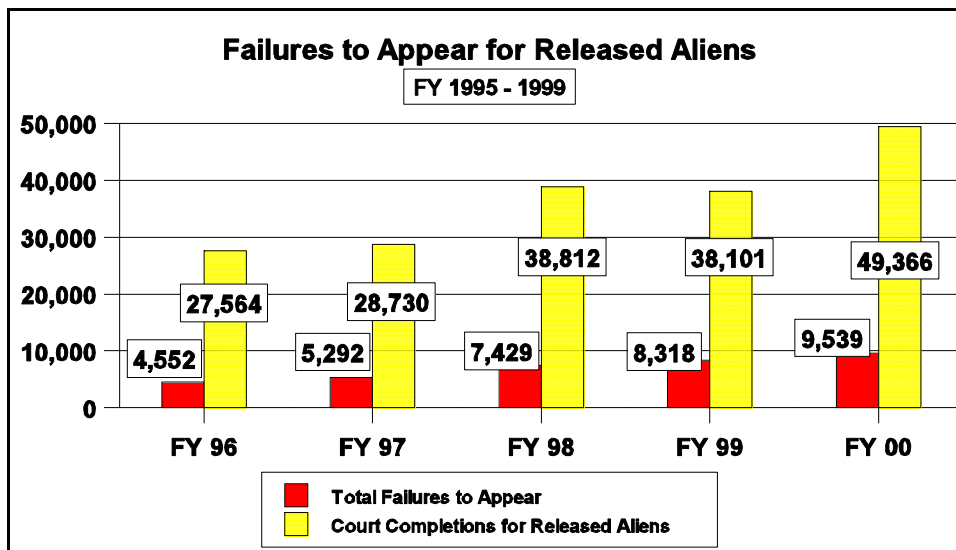


Figure 17

Figure 17 shows the number of failures to appear for released aliens. In FY 1996, the FTA rate for released aliens was 17 percent and has remained consistent. The FTA rate for released aliens in FY 2000 was 19 percent.

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Asylum (Immigration Courts)

An important form of relief that aliens may request is asylum. Aliens request asylum if they fear harm if returned to their native country or if they suffered harm in the past. To be granted asylum, an alien must demonstrate a threat or harm because of race, religion, nationality, political beliefs, and/or membership in a particular social group.

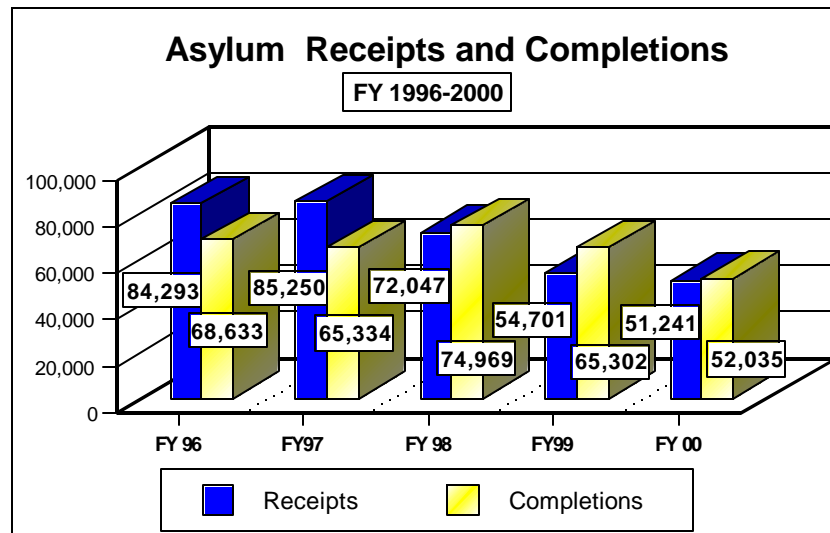


Figure 18

As shown in Figure 18, asylum receipts in the immigration courts increased slightly from FY 1996 to 1997, decreased by 15 percent between FY 1997 and 1998, decreased by 24 percent between FY 1998 to 1999, and finally, from FY 1999 to 2000, asylum receipts decreased by 6 percent. Asylum completions by the immigration courts decreased by 5 percent from FY 1996 to 1997, increased by 15 percent from FY 1997 to 1998, decreased by 13 percent from FY 1998 to 1999 and finally decreased by 20 percent from FY 1999 to 2000.

The following Table 13 shows FY 2000 asylum receipts and completions by immigration court. In FY 2000, the New York City, San Francisco, Miami, and Los Angeles immigration courts received 60 percent of asylum filings.

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Table 13 - Asylum Receipts and Completions for FY 2000

Receipts	Immigration Court	Completions
1,196	ARLINGTON, VIRGINIA	1,232
845	ATLANTA, GEORGIA	829
1,121	BALTIMORE, MARYLAND	920
57	BATAVIA SPC	56
1,531	BOSTON, MASSACHUSETTS	1,288
82	BRADENTON COUNTY JAIL	84
163	BUFFALO, NEW YORK	158
2,066	CHICAGO, ILLINOIS	1,547
559	DALLAS, TEXAS	582
483	DENVER, COLORADO	476
873	DETROIT, MICHIGAN	1,092
143	EL CENTRO, CALIFORNIA	167
137	EL PASO, TEXAS	159
453	ELIZABETH SPC	421
145	ELOY BUREAU OF PRISONS FACILITY	163
98	FLORENCE, ARIZONA	92
98	HARLINGEN, TEXAS	88
251	HARTFORD, CONNECTICUT	247
61	HONOLULU, HAWAII	86
68	HOUSTON SERVICE PROCESSING CENTER	79
580	HOUSTON, TEXAS	850
26	IMPERIAL, CALIFORNIA	25
241	KROME NORTH SPC	247
362	LAS VEGAS, NEVADA	484
9,170	LOS ANGELES, CALIFORNIA	8,321
425	MEMPHIS, TENNESSEE	650
6,843	MIAMI, FLORIDA	7,053
289	MIRA LOMA DETENTION FACILITY	297
119	NEW ORLEANS, LOUISIANA	98
10,132	NEW YORK CITY, NEW YORK	11,216
92	NEW YORK STATE DOC- FISHKILL	88
41	NEW YORK STATE DOC - ULSTER	35
424	NEW YORK VARICK SPC	418
1,492	NEWARK, NEW JERSEY	1,559
192	OAKDALE FEDERAL DETENTION CENTER	206
1,092	ORLANDO, FLORIDA	717
36	OTAY MESA, CALIFORNIA	29
858	PHILADELPHIA, PENNSYLVANIA	806
269	PHOENIX, ARIZONA	388
98	PORT ISABEL SPC	100
156	PORTLAND, OREGON	139
474	QUEENS WACKENHUT FACILITY	456
108	SAN ANTONIO, TEXAS	116
845	SAN DIEGO, CALIFORNIA	993
4,474	SAN FRANCISCO, CALIFORNIA	4,938
139	SAN JUAN, PUERTO RICO	100
187	SAN PEDRO, CALIFORNIA	179
644	SEATTLE, WASHINGTON	873
663	ST. PAUL, MINNESOTA	548
104	TEXAS DOC- HUNTSVILLE	114
24	TUCSON, ARIZONA	20
212	YORK COUNTY PRISON	206
51,241	Total	52,035

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Asylum Grant by Nationality (Immigration Courts)

In Table 14, we have listed the top ten asylum grantees by nationality between FY 1996 and 2000. In FY 1996, Indian nationals comprised the top nationality granted asylum. Following closely behind were Chinese and Ethiopian nationals. Since FY 1997, the top nationality has been Chinese. Both Indian and Russian nationals are among the top three nationalities granted asylum during FY 2000.

Table 14 - Asylum Grants by Nationality for FY 1996-2000

FY 1996		FY 1997		FY 1998	
Nationality	Number of Grants	Nationality	Number of Grants	Nationality	Number of Grants
INDIA	369	CHINA	809	CHINA	1,558
CHINA	272	SOMALIA	362	SOMALIA	360
ETHIOPIA	263	INDIA	293	INDIA	315
CUBA	262	YUGOSLAVIA	289	RUSSIA	304
GUATEMALA	261	HAITI	279	HAITI	241
YUGOSLAVIA	237	MAURITANIA	276	ALBANIA	233
RUSSIA	208	ETHIOPIA	275	MAURITANIA	233
HAITI	201	RUSSIA	269	SRI LANKA	224
PERU	190	LIBERIA	250	YUGOSLAVIA	211
PAKISTAN	182	PAKISTAN	194	GUATEMALA	202

FY 1999		FY 2000	
Nationality	Number of Grants	Nationality	Number of Grants
CHINA	2,133	CHINA	2,440
INDIA	411	INDIA	515
SOMALIA	378	RUSSIA	417
ALBANIA	328	SOMALIA	413
RUSSIA	323	ALBANIA	391
YUGOSLAVIA	321	PERU	250
PERU	276	YUGOSLAVIA	250
IRAN	229	ETHIOPIA	233
ETHIOPIA	214	EGYPT	218
HAITI	203	HAITI	204

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Disposition of Asylum Cases (Immigration Courts)

Immigration judges may decide to either grant or deny an alien’s application for asylum. Asylum applicants may also choose to withdraw their application or they may fail to appear for a scheduled court hearing. If an applicant fails to appear, the application is considered abandoned. Within the past 5 years, EOIR has started to track both withdrawn and abandoned asylum applications. Additionally, IIRIRA provided that asylum could be conditionally granted to 1,000 asylum applicants per year from China who raise claims based on Coercive Population Control (CPC). Beginning in FY 1997, immigration judges began granting conditional asylum based on CPC. As a result, a new decision category was added.

Depicted below in Figure 19 are asylum case decisions, either denied or granted, including CPC conditional grants. Immigration courts keep track of asylum applications that are closed for “Other” reasons, such as a change of venue to another court or termination. In some cases, aliens may apply for and be granted some other type of relief besides asylum and this will also fall under “Other” decisions. Certain cases may have been terminated “en masse” because of changes in the law.

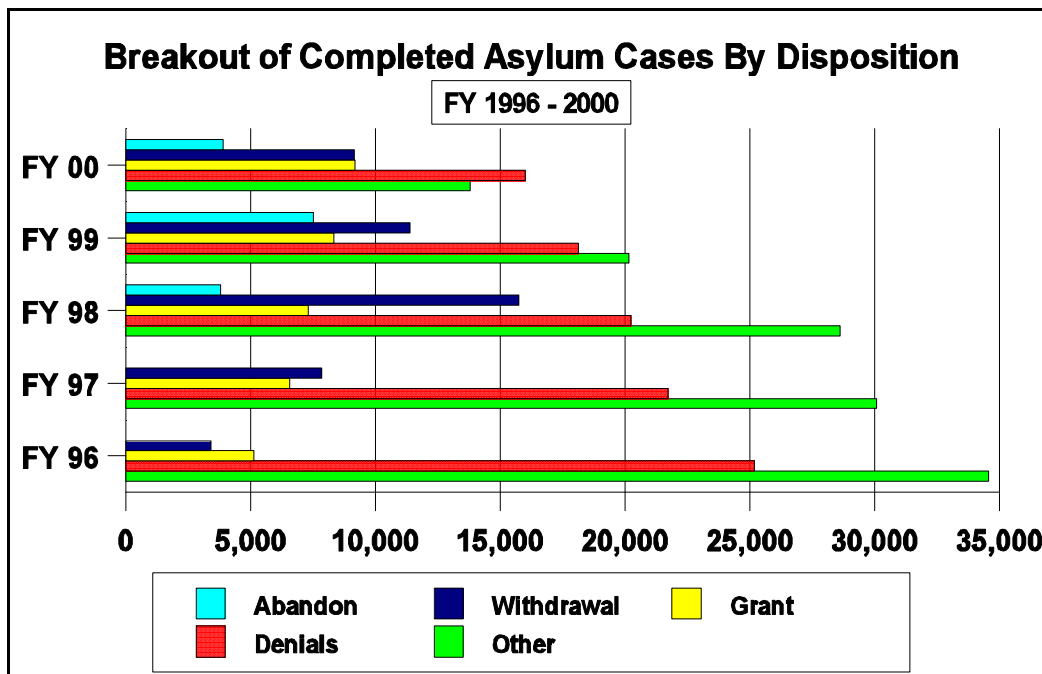


Figure 19

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Overall, the percent of aliens granted asylum has gradually increased since FY 1996. The grant rate was 17 percent in FY 1996, increased to 23 percent in FY 1997, to 27 percent in FY 1998, and climbed to 32 percent in FY 1999. Finally, in FY 2000, the grant rate was 36 percent. The percent of "Other" completions has dropped since FY 1996, but this decrease has been primarily due to the adoption by EOIR of separate categories for both withdrawn and abandoned applications.

Depicted below in Table 15, is the number of asylum decisions by category along with the grant rate for FY 1996 to FY 2000.

Table 15- FY 1996-2000 IJ Asylum Grant Rate

	Grants	Denials	Other	Withdrawals	Abandon	Total	Grant Rate
FY 96	5,131	25,181	34,196	3,410	1	67,919	17%
FY 97	6,586	21,729	29,832	7,843	3	65,993	23%
FY 98	7,309	20,217	28,613	15,739	3,805	75,683	27%
FY 99	8,351	18,137	20,273	11,376	7,510	65,647	32%
FY 00	9,170	16,016	13,801	9,154	3,892	52,033	36%

The following Table 16 shows FY 2000 asylum completions by immigration court, disposition type, and grant rate.

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TABLE 16 - FY 2000 DISPOSITION OF ASYLUM CASES

Immigration Court	Denials	Grant	Conditional Grants	Grant Rate
ARLINGTON, VIRGINIA	461	165	4	27%
ATLANTA, GEORGIA	528	19	0	3%
BALTIMORE, MARYLAND	300	313	9	52%
BATAVIA SPC	35	7	0	17%
BOSTON, MASSACHUSETTS	443	268	2	38%
BRADENTON COUNTY JAIL	55	8	0	13%
BUFFALO, NEW YORK	74	13	11	24%
CHICAGO, ILLINOIS	485	383	17	45%
DALLAS, TEXAS	157	125	4	45%
DENVER, COLORADO	177	105	2	38%
DETROIT, MICHIGAN	450	143	1	24%
EL CENTRO, CALIFORNIA	69	3	0	4%
EL PASO, TEXAS	54	23	0	30%
ELIZABETH SPC	88	166	7	66%
ELOY BUREAU OF PRISONS FACILITY	84	4	0	5%
FLORENCE, ARIZONA	51	12	2	22%
HARLINGEN, TEXAS	4	18	1	83%
HARTFORD, CONNECTICUT	63	40	3	41%
HONOLULU, HAWAII	33	14	8	40%
HOUSTON SERVICE PROCESSING CENTER	33	9	0	21%
HOUSTON, TEXAS	299	86	5	23%
IMPERIAL, CALIFORNIA	8	1	0	11%
KROME NORTH SPC	92	8	2	10%
LAS VEGAS, NEVADA	110	53	5	35%
LOS ANGELES, CALIFORNIA	1,472	628	40	31%
MEMPHIS, TENNESSEE	243	93	0	28%
MIAMI, FLORIDA	2,678	725	0	21%
MIRA LOMA DETENTION FACILITY	72	13	3	18%
NEW ORLEANS, LOUISIANA	43	13	1	25%
NEW YORK CITY, NEW YORK	3,683	1,750	1,507	47%
NEW YORK STATE DOC- FISHKILL	31	0	0	0%
NEW YORK DOC - ULSTER	3	0	0	0%
NEW YORK VARICK SPC	264	36	10	15%
NEWARK, NEW JERSEY	481	263	51	39%
OAKDALE FEDERAL DETENTION CENTER	21	3	0	13%
ORLANDO, FLORIDA	165	88	4	36%
OTAY MESA, CALIFORNIA	24	0	0	0%
PHILADELPHIA, PENNSYLVANIA	318	151	41	38%
PHOENIX, ARIZONA	36	50	0	58%
PORT ISABEL SPC	26	9	0	26%
PORTLAND, OREGON	50	21	1	31%
QUEENS WACKENHUT FACILITY	148	188	3	56%
SAN ANTONIO, TEXAS	34	21	0	38%
SAN DIEGO, CALIFORNIA	396	73	4	16%
SAN FRANCISCO, CALIFORNIA	897	1,034	23	54%
SAN JUAN, PUERTO RICO	9	12	1	59%
SAN PEDRO, CALIFORNIA	8	7	0	47%
SEATTLE, WASHINGTON	433	70	61	23%
ST. PAUL, MINNESOTA	174	53	2	24%
TEXAS DOC- HUNTSVILLE	70	6	0	8%
TUCSON, ARIZONA	5	3	0	38%
YORK COUNTY PRISON	79	38	1	33%
Total	16,016	7,334	1,836	36%

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Expedited Asylum (Immigration Courts)

Asylum regulations implemented in 1995 mandated that asylum applications be processed within 180 days after filing either at an INS Asylum Office or at an immigration court. IIRIRA reform reiterated the 180-day rule. Consequently, expedited processing of asylum applications occurs when (1) an alien files "affirmatively" at an INS Asylum Office on or after January 4, 1995 and the application is referred to EOIR by INS within 75 days or less of the filing; or (2) an alien files an application "defensively" with EOIR on or after January 4, 1995.

In addition to the statutory requirement, EOIR considers the 180-day processing of asylum applications as a performance measure and this measure adheres to the Department of Justice's goal of expediting the adjudication of immigration cases. Figure 20 shows the number of expedited asylum cases compared with total asylum receipts since FY 1996.

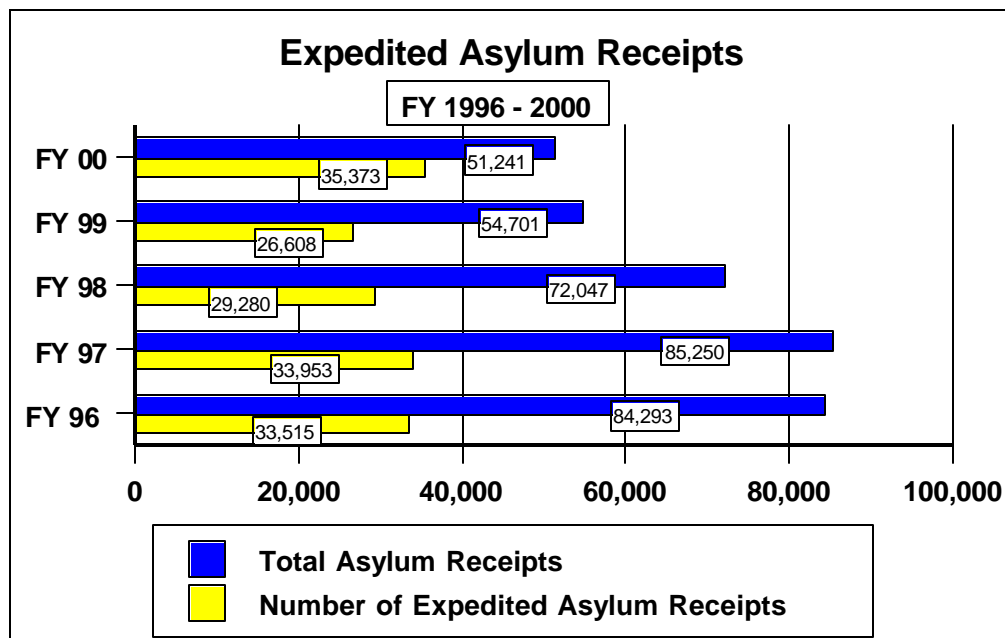


Figure 20

In FY 1996, expedited cases comprised 40 percent (33,515 of 84,293) of total asylum receipts. In FY 1998, this percent slightly increased to 41 percent (29,280 of 72,047). In FY 2000 the percent of expedited asylum case receipts increased, representing 69 percent (35,373 of 51,241) of total asylum receipts. Depicted in Figure 21 is the number of receipts and completions for expedited asylum cases between FY 1996 and 2000.

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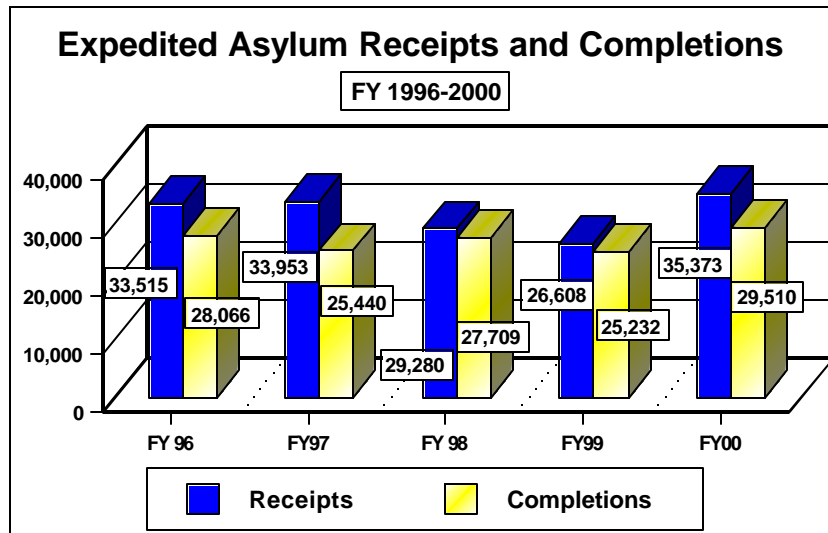


Figure 21

From FY 1996 to FY 1997, expedited asylum case receipts increased by 1 percent. However, between FY 1997 and FY 1998, receipts decreased by 14 percent. During FY 1999, expedited asylum receipts decreased by 9 percent from FY 1998 and during FY 2000, there was an increase of 33 percent over FY 1999.

EOIR has established a goal of processing 95 percent of cases completed as expedited asylum cases within 180 days. As shown in Table 18, this goal was nearly reached with 89.9 percent of expedited asylum cases completed in 180 days or less.

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Table 17 - FY 1999 Post Reform Affirmative and Defensive Completed as “ Expedited” Asylum Cases

Days at Completion	# of Cases	% of Total
180 or Less	16,342	88.9%
181 - 260	983	5.4%
Over 260 days	1,037	5.6%

Table 18 - FY 2000 Post Reform Affirmative and Defensive Completed as “ Expedited” Asylum Cases

Days at Completion	# of Cases	% of Total
180 or Less	19,248	89.9%
181 - 260	901	4.2%
Over 260 days	1,261	5.9%

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Suspension of Deportation/Cancellation of Removal

Under IIRIRA, aliens may seek cancellation of removal through new provisions in the law. Previously, there was no numerical limit to the number of applicants granted suspension of deportation, however IIRIRA established a limit (cap) of 4,000 grants per fiscal year. As depicted in Table 19, during FY 2000, approximately 3,076 applications for this type of relief were adjudicated and granted.

Table 19-Status of FY 2000 Suspension/Cancellation Cap

FY 2000	Immigration Court¹	Board of Immigration Appeals	Monthly Total
October	631	37	668
November	324	9	333
December	241	11	252
January	208	3	211
February	195	32	227
March	236	7	243
April	182	8	190
May	217	4	221
June	144	34	178
July	171	9	180
August	183	13	196
September	161	16	177
Total	2,893	183	3,076

¹Excludes IJ Decisions Appealed to BIA

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Convention Against Torture

On March 22, 1999, the Department of Justice implemented regulations regarding the United Nations' Convention Against Torture (CAT). Under this regulation, aliens in removal, deportation, or exclusion proceedings may claim that they "more likely than not" will be tortured if removed from the United States. Among other things, the regulation provides jurisdiction to the immigration courts and the BIA review over these claims.

As shown on Table 20, the immigration courts completed 12,432 CAT cases during FY 2000. Trends detected from the FY 2000 completions include the following:

- ! Forty-one percent of the CAT cases completed in FY 2000 involved a detained or previously detained alien.
- ! Over 94 percent of the CAT applications completed in FY 2000 were denied.
- ! Out of 529 CAT cases granted, 60 percent were granted withholding of removal and 40 percent were granted deferral of removal.

Table 20- FY 2000 Breakout of CAT Cases By Disposition

Granted		Denied	Other	Withdrawn	Abandoned	Total
Withholding	Deferral					
316	213	8,580	2,262	900	161	12,432

Table 21 shows a breakdown of CAT completions by immigration courts. The Los Angeles, CA; Miami, FL; San Francisco, CA; and New York, NY immigration courts combined completed over 45 percent of the total FY 2000 CAT applications.

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**Table 21-Immigration Court Completions Under the
Convention Against Torture for FY 2000**

Immigration Court	Completions
ARLINGTON, VIRGINIA	372
ATLANTA, GEORGIA	234
BALTIMORE, MARYLAND	203
BATAVIA SPC	31
BOSTON, MASSACHUSETTS	324
BRADENTON COUNTY JAIL	53
BUFFALO, NEW YORK	55
CHICAGO, ILLINOIS	287
DALLAS, TEXAS	53
DENVER, COLORADO	131
DETROIT, MICHIGAN	404
EL CENTRO, CALIFORNIA	147
EL PASO, TEXAS	49
ELIZABETH SPC	219
ELOY BUREAU OF PRISONS FACILITY	139
FLORENCE, ARIZONA	20
HARTFORD, CONNECTICUT	91
HONOLULU, HAWAII	46
HOUSTON SERVICE PROCESSING CENTER	41
HOUSTON, TEXAS	7
IMPERIAL, CALIFORNIA	19
KROME NORTH SPC	104
LAS VEGAS, NEVADA	47
LOS ANGELES, CALIFORNIA	1,248
MEMPHIS, TENNESSEE	177
MIAMI, FLORIDA	1,981
MIRA LOMA DETENTION FACILITY	215
NEW ORLEANS, LOUISIANA	84
NEW YORK CITY, NEW YORK	1,870
NEW YORK STATE DOC- FISHKILL	88
NEW YORK DOC - ULSTER	35
NEW YORK VARICK SPC	261
NEWARK, NEW JERSEY	492
OAKDALE FEDERAL DETENTION CENTER	216
ORLANDO, FLORIDA	86
OTAY MESA, CALIFORNIA	15
PHILADELPHIA, PENNSYLVANIA	380
PHOENIX, ARIZONA	11
PORT ISABEL SPC	5
PORTLAND, OREGON	11
QUEENS WACKENHUT FACILITY	9
SAN ANTONIO, TEXAS	13
SAN DIEGO, CALIFORNIA	267
SAN FRANCISCO, CALIFORNIA	559
SAN JUAN, PUERTO RICO	93
SAN PEDRO, CALIFORNIA	204
SEATTLE, WASHINGTON	550
ST. PAUL, MINNESOTA	254
TEXAS DOC- HUNTSVILLE	99
TUCSON, ARIZONA	8
YORK COUNTY PRISON	125
Total	12,432

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Immigration Court Cases Completed With Applications³ For Relief

Aliens may request other forms of relief in addition to asylum. Aliens under removal proceedings may seek relief under the Convention Against Torture or apply for cancellation of removal. Cancellation of removal is available to applicants through two new IIRIRA provisions, both intended to replace the former 212(c) waiver and suspension of deportation. Under the first provision, applicants facing removal on criminal grounds, who have been lawfully admitted for permanent residence for 5 years or more or have resided continuously in the United States for 7 years (after a lawful admission), may request cancellation, provided they have no aggravated felony convictions. Under the second provision, applicants physically present in the United States for a continuous period of 10 years and who have not been convicted of a criminal offense may seek cancellation and adjustment of status. The applicant must demonstrate exceptional and extremely unusual hardship to a citizen or lawful permanent resident spouse, parent or child. However, IIRIRA limits this type of cancellation to no more than 4,000 grants in any fiscal year.

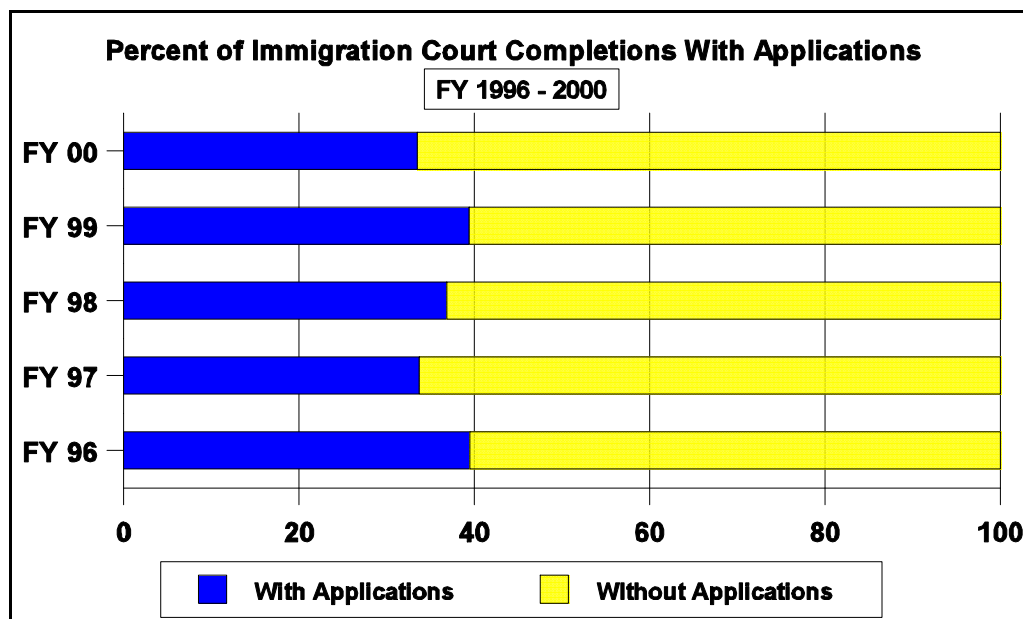


Figure 22

Shown in Figure 22 is the percent of cases where the alien filed any application for relief in FY 1996 through 2000. Generally, cases with no applications are processed faster and expend fewer court resources. In FY 1996, the percent of cases with applications was almost 40 percent of total immigration court cases. From FY 1997 to FY 1999, the percent of cases completed with applications for relief has remained level. In FY 2000, 33 percent of immigration court cases completed had some type of application for relief.

³For the purposes of this year book, voluntary departure is not considered an application for relief.

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Table 22 shows the number of cases completed with applications at each immigration court in FY 2000. Also included in Table 22 is the percentage of completed cases with applications in comparison to total completions for each immigration court. Generally, the percentage of cases completed without applications is higher at immigration courts: (1) co-located with detention facilities such as Port Isabel, TX; and; (2) courts located near the United States border such as in El Paso, TX, and Buffalo, NY. Some of the Immigration courts with high workloads of cases with no applications (over 90 percent) include: San Antonio, TX; Tucson, AZ; El Paso, TX; and Port Isabel, TX.

In contrast, the New York, NY; Miami, FL; Los Angeles, CA; and San Francisco, CA immigration courts have the highest percent of completed cases with applications in FY 2000. In these courts, more than 65 percent of the aliens filed some type of application for relief. The immigration court located in Elizabeth, NJ also had a high percentage of completed cases with applications for relief, comprising 78 percent of completions.

Table 22 - FY 2000 Immigration Court Case Completions With Applications

Total Completions	Immigration Court	#of Completions With Applications	Percent With Applications
3,135	ARLINGTON, VIRGINIA	1,640	52%
4,126	ATLANTA, GEORGIA	914	22%
2,535	BALTIMORE, MARYLAND	1,500	59%
676	BATAVIA SPC	86	13%
3,973	BOSTON, MASSACHUSETTS	1,874	47%
1,357	BRADENTON COUNTY JAIL	144	11%
2,914	BUFFALO, NEW YORK	398	14%
7,623	CHICAGO, ILLINOIS	2,238	29%
6,518	DALLAS, TEXAS	1,160	18%
4,369	DENVER, COLORADO	776	18%
3,683	DETROIT, MICHIGAN	1,315	36%
4,297	EL CENTRO, CALIFORNIA	292	7%
8,061	EL PASO, TEXAS	501	6%
565	ELIZABETH SPC	442	78%
5,048	ELOY BUREAU OF PRISONS FACILITY	485	10%
4,921	FLORENCE, ARIZONA	210	4%
10,308	HARLINGEN, TEXAS	220	2%
1,183	HARTFORD, CONNECTICUT	453	38%
458	HONOLULU, HAWAII	226	49%
2,508	HOUSTON SERVICE PROCESSING CENTER	179	7%
4,386	HOUSTON, TEXAS	1,534	35%
858	IMPERIAL, CALIFORNIA	304	35%
3,868	KROME NORTH SPC	303	8%
2,102	LAS VEGAS, NEVADA	880	42%
14,485	LOS ANGELES, CALIFORNIA	12,168	84%
1,267	MEMPHIS, TENNESSEE	718	57%
15,049	MIAMI, FLORIDA	9,711	65%
4,194	MIRA LOMA DETENTION FACILITY	541	13%
1,436	NEW ORLEANS, LOUISIANA	182	13%
18,295	NEW YORK CITY, NEW YORK	12,716	70%
1,391	NEW YORK STATE DOC- FISHKILL	142	10%
1,377	NEW YORK STATE DOC - ULSTER	93	7%
1,698	NEW YORK VARICK SPC	553	33%
4,884	NEWARK, NEW JERSEY	2,109	43%
2,384	OAKDALE FEDERAL DETENTION CENTER	319	13%
1,670	ORLANDO, FLORIDA	854	51%
1,298	OTAY MESA, CALIFORNIA	177	14%
2,043	PHILADELPHIA, PENNSYLVANIA	1,030	50%
2,125	PHOENIX, ARIZONA	655	31%
8,041	PORT ISABEL SPC	135	2%
895	PORTLAND, OREGON	249	28%
717	QUEENS WACKENHUT FACILITY	458	64%
11,624	SAN ANTONIO, TEXAS	445	4%
5,968	SAN DIEGO, CALIFORNIA	1,482	25%
8,503	SAN FRANCISCO, CALIFORNIA	6,342	75%
1,470	SAN JUAN, PUERTO RICO	177	12%
2,886	SAN PEDRO, CALIFORNIA	378	13%
5,418	SEATTLE, WASHINGTON	1,316	24%
2,065	ST. PAUL, MINNESOTA	741	36%
1,302	TEXAS DOC- HUNTSVILLE	147	11%
2,163	TUCSON, ARIZONA	98	5%
1,774	YORK COUNTY PRISON	286	16%
215,894	Total	72,296	34%

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Processing of Detained Cases (Immigration Courts)

Immigration court hearings are conducted in INS Service Processing Centers, contract detention facilities, local government jails, and Bureau of Prisons (BOP) institutions. EOIR maintains data on the custody status of aliens in proceedings. On average, during FY 2000, immigration judges ordered more than 1,300 detained aliens removed from the United States every week.

Under IIRIRA, virtually any alien subject to removal on the basis of a criminal conviction may be detained by INS. During FY 1999, INS changed its legal interpretation of the IIRIRA mandatory detention requirement, which permitted some criminally charged aliens to be considered for release from detention pending a removal hearing. As depicted in Figure 23, in FY 1996, 35 percent of immigration court completions involved detained aliens. In FY 2000, 33 percent of total completions involved detainees.

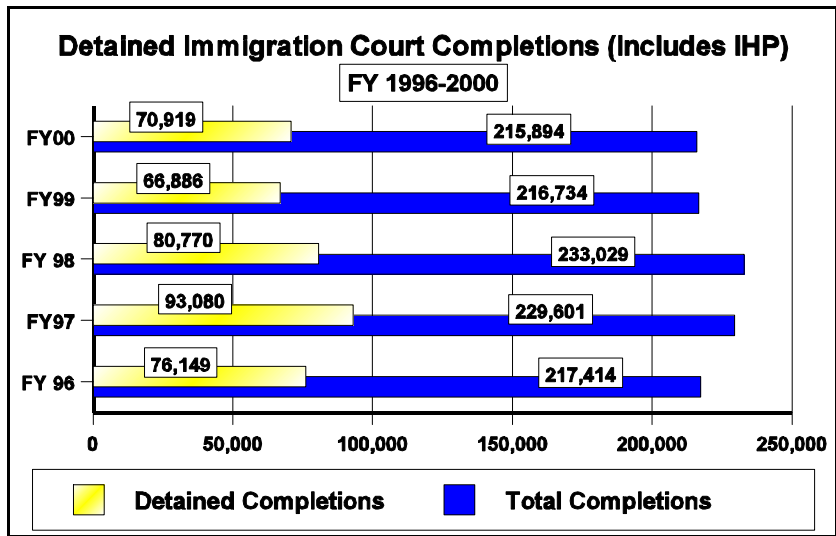


Figure 23

Table 23 shows FY 1999 detained completions, including institutional hearing program (IHP) cases. The immigration court in El Paso, TX; the BOP facility located in Eloy, AZ; and the INS Service Processing Center located in Florence, AZ had the most detained completions. Overall, immigration courts located in three states, Texas, California, and Arizona, had 60 percent of detained completions in FY 2000.

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Table 23-Immigration Court Detained Completions for FY 2000

Immigration Court	Completions
ARLINGTON, VIRGINIA	426
ATLANTA, GEORGIA	1,431
BALTIMORE, MARYLAND	330
BATAVIA SPC	641
BOSTON, MASSACHUSETTS	800
BRADENTON COUNTY JAIL	1,125
BUFFALO, NEW YORK	65
CHICAGO, ILLINOIS	2,689
DALLAS, TEXAS	3,414
DENVER, COLORADO	2,757
DETROIT, MICHIGAN	462
EL CENTRO, CALIFORNIA	4,075
EL PASO, TEXAS	4,420
ELIZABETH SPC	451
ELOY BUREAU OF PRISONS FACILITY	4,601
FLORENCE, ARIZONA	3,615
HARLINGEN, TEXAS	241
HARTFORD, CONNECTICUT	416
HONOLULU, HAWAII	82
HOUSTON SERVICE PROCESSING CENTER	1,946
HOUSTON, TEXAS	592
IMPERIAL, CALIFORNIA	259
KROME NORTH SPC	940
LAS VEGAS, NEVADA	713
LOS ANGELES, CALIFORNIA	432
MEMPHIS, TENNESSEE	222
MIAMI, FLORIDA	1,451
MIRA LOMA DETENTION FACILITY	2,368
NEW ORLEANS, LOUISIANA	496
NEW YORK CITY, NEW YORK	78
NEW YORK STATE DOC - FISHKILL	1,382
NEW YORK STATE DOC - ULSTER	1,368
NEW YORK VARICK SPC	509
NEWARK, NEW JERSEY	746
OAKDALE FEDERAL DETENTION CENTER	2,171
ORLANDO, FLORIDA	78
OTAY MESA, CALIFORNIA	605
PHILADELPHIA, PENNSYLVANIA	264
PHOENIX, ARIZONA	596
PORT ISABEL SPC	2,166
PORTLAND, OREGON	446
QUEENS WACKENHUT FACILITY	486
SAN ANTONIO, TEXAS	3,724
SAN DIEGO, CALIFORNIA	3,073
SAN FRANCISCO, CALIFORNIA	1,457
SAN JUAN, PUERTO RICO	736
SAN PEDRO, CALIFORNIA	1,394
SEATTLE, WASHINGTON	3,084
ST. PAUL, MINNESOTA	503
TEXAS DOC - HUNTSVILLE	1,298
TUCSON, ARIZONA	1,922
YORK COUNTY PRISON	1,373
Total	70,919

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Processing of Institutional Hearing Program Cases by the Immigration Courts

The goal of the Institutional Hearing Program (IHP) is to serve aliens with charging documents prior to their release from incarceration in a federal, state, or municipal facility. Immigration judges and court staff often travel to remote IHP locations to conduct hearings. Depicted in Figure 24 is the number of IHP cases received and completed by the immigration courts between FY 1996 and 2000.

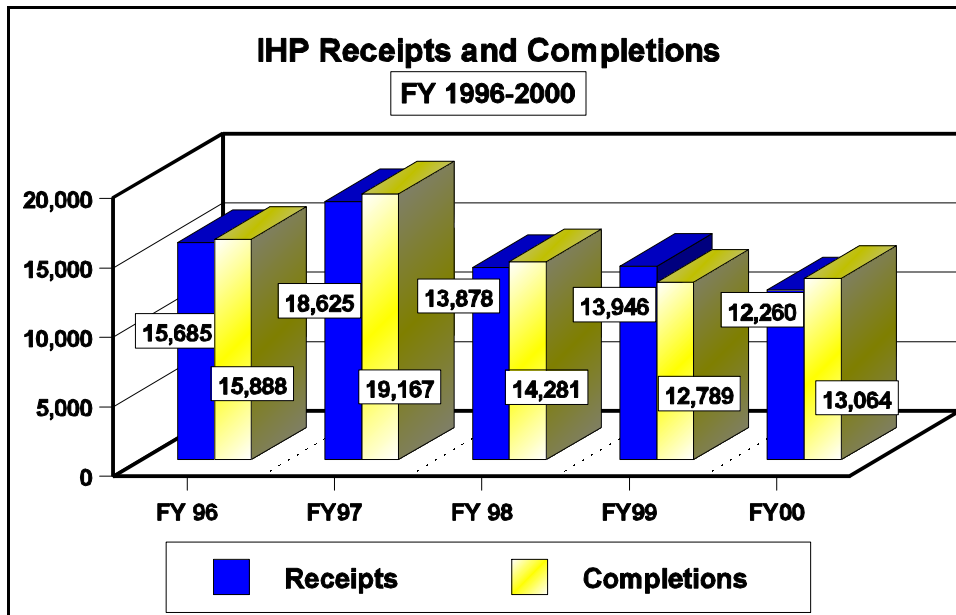


Figure 24

The number of IHP receipts has decreased by 22 percent since FY 1996. Between FY 1999 and 2000, IHP receipts decreased by 12 percent. IHP completions increased slightly by 2 percent between FY 1999 and 2000. Table 24 includes a breakdown of IHP completed cases by disposition for the immigration courts.

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**Table 24 - IHP Immigration Court Case Completions by Type of Disposition
FY 1996 - FY2000**

	FY 96	FY 97	FY 98	FY 99	FY99
<u>DECISIONS IN IHP CASES</u>					
REMOVAL	12,570	15,990	11,701	9,865	9,904
TERMINATION	223	281	398	347	283
RELIEF	308	33	38	76	123
Other Decisions	4	21	12	9	10
TOTAL DECISIONS	13,105	16,325	12,149	10,297	10,320
<u>"OTHER" COMPLETIONS</u>	2,783	2,842	2,132	2,492	2,744
<i>Grand Total</i>	15,888	19,167	14,281	12,789	13,064

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Processing of Detained Cases (Board of Immigration Appeals)

EOIR maintains data on the custody status of aliens whose cases were completed by the BIA. Depicted in Figure 25, is the number of IJ case appeals decided between FY 1996 and 2000 along with the number of case appeals that involved detainees. In FY 1996, 23 percent of BIA completed cases (2,404 out of 10,494) involved detainees. Between FY 1997 and 1998, the number of BIA completed cases involving detainees increased. However, in FY 1999, detained completions increased to 42 percent and in FY 2000, detained completions decreased again to 38 percent.

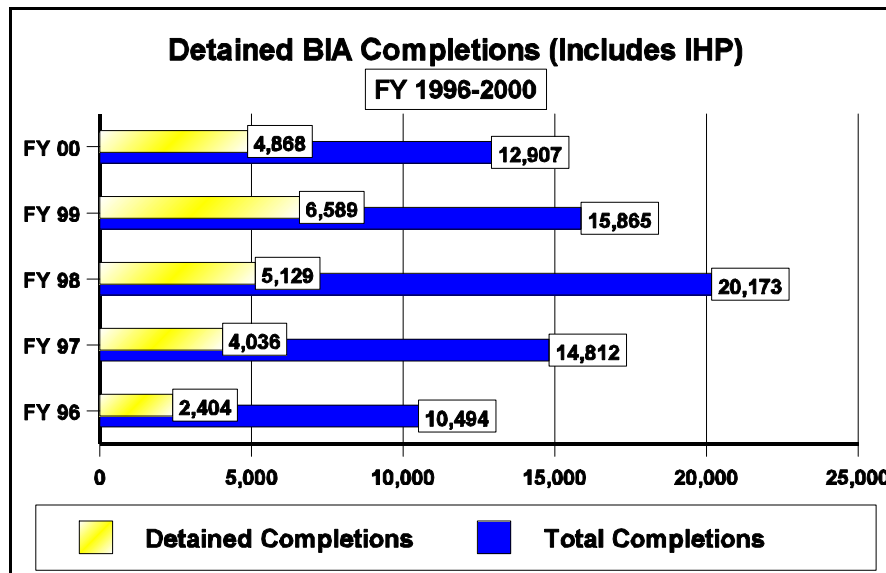


Figure 25

Table 25 shows a breakdown of total detained cases completed by the BIA and whether the alien was incarcerated at an IHP location. Between FY 1996 and 2000, over 40 percent of detained BIA completions involved aliens who were served charging documents prior to their release from a federal, state, or municipal facility.

Table 25-Breakdown of BIA Detained Completions

	Total Detained Completions	IHP Completions	Percent IHP
FY 1996	2,404	991	41%
FY 1997	4,036	2,566	64%
FY 1998	5,129	2,426	47%
FY 1999	6,589	2,720	41%
FY 2000	4,868	1,936	40%

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Office of the Chief Administrative Hearing Officer Cases

The Office of the Chief Administrative Hearing Officer (OCAHO) is headed by the Chief Administrative Hearing Officer who is responsible for the general supervision of four Administrative Law Judges. The Administrative Law Judges hear cases and adjudicate issues arising under provisions of the Immigration and Nationality Act of 1952 (INA) relating to (1) unlawful hiring, recruiting, or referring for a fee, or continued employment of unauthorized aliens, and failure to comply with employment verification requirements, (2) immigration-related unfair employment practices, and (3) document fraud. Complaints are brought by the INS, the Office of Special Counsel, or private litigants.

Depicted in Figure 26 is the number of cases received and completed by OCAHO between FY 1996 and 2000.

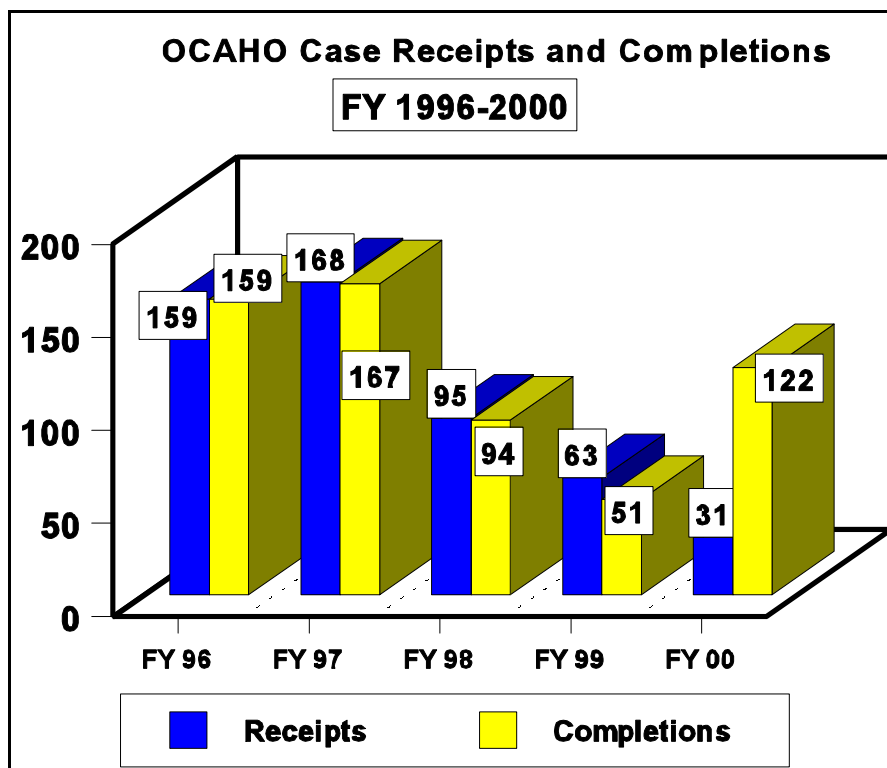


Figure 26