

Due Process and the Changing Immigration Court System

How Falling Asylum Approval Rates are Affecting our Immigrant Neighbors

This resource was put together in September 2026 by staff who have first-hand experience navigating immigration court with asylum seekers and other immigrant families, along with support from our immigration legal professionals.

WHAT IS HAPPENING ?

Over the past two years, we've seen a stark decline in approval for asylum seekers in immigration courts across the country. In June 2026, for example, 94 percent of all asylum cases were denied nationally. On the local level, 61 percent of asylum cases adjudicated in the Chicago immigration court were granted two years ago. As of June 2026, that's down to just 13 percent.

WHY DOES IT MATTER?

This decrease is part of a larger national trend in which the U.S. government is making big changes to the immigration court system that negatively impact due process for our immigrant neighbors.

Many people who apply for asylum have real, valid fear that they will face severe danger, sexual violence (especially for women) or even death on account of a protected ground if they return to their country of origin. Asylum is a legal process by which people can request protection from that danger. See 8 USC § 1158, 8 CFR § 208.

Our staff see how asylum has been a life-saving pathway for families, and our team is seeing firsthand the harmful human impact of this change. As a Christian, non-partisan organization that believes in the God-given dignity of all people, we are deeply concerned. This resource outlines the changes taking place and provides advocacy actions.

CHANGES AFFECTING ASYLUM APPROVAL RATES

NOTE: Contrary to criminal court, when someone is called to immigration court, it often does not mean there has been any criminal behavior. Rather, it's a civil, administrative court, and it's just one of the ways the government processes asylum claims

▶ Overhaul of Judges

There's a significant overhaul of immigration judges taking place on a national level, including here in Chicagoland. Over 100 experienced immigration judges nationwide have been fired since 2025. They've been replaced with judges who have far less experience and expertise in immigration law.



Going before some of these judges would be similar to depending on a general practice doctor or a podiatrist instead of a cardiologist to decide if you need a complicated heart surgery. Just like it takes a specialized medical practitioner years to become an expert in their field, it takes a long time for an attorney with a background in a different field of law to learn a new, complex area of law.

We've also seen that many judges who held a higher track record of approving asylum requests have been fired. This both removes them from the system and sends a message to remaining judges.

You might think judges would be guarded from this kind of pressure. But immigration judges are not part of the independent judicial branch of the federal government. They are employees of the Department of Justice and ultimately report to the Attorney General and the President.

Last November, the Department of Justice started recruiting immigration judges using language like “become a deportation judge,” underscoring the policy priorities of this administration and how they expect judges to follow those priorities.

CHANGES IN IMMIGRATION COURT

NOTE: Dealing with an overwhelming number of asylum cases is a legitimate challenge for the government and dedicated civil servants working in the immigration court system. As of one year ago, there were 3.9 million pending asylum cases in the United States. While some practices we describe below may seem like a good thing to decrease the backlog, they create major concerns for people facing real harm and violence if deported. We want to challenge lawmakers to allocate the resources needed to handle cases with full due process.

Mega Master Hearings

“Mega Masters” is the common term referring to Master Calendar Hearings in immigration court where 100 to 200 people or more are called for one three-hour docket. Previously, that time allotment would serve 30-50 people and allow time for each to speak before the judge, ask questions, and ensure information was understood. In a Mega Master, the judge reviews 100-200 cases in the same amount of time.



Our team has witnessed this negative impact on due process firsthand this year. Judges speak to the whole room instead of each person individually, asking everyone to raise their hands to confirm understanding. Required interpretation services are insufficient or skipped, and there's little to no opportunity for people to ask questions or explain the details of their case.

Court Dates

Many court dates are being moved forward, sometimes by months or years. This is often detrimental to the asylum seeker for two reasons.



They might miss the court date if the notice of the new date doesn't arrive in time to attend or if the notice is sent to the wrong address. This can result in something called an "in absentia" removal order. Simply stated, this means an asylum seeker is ordered to leave the U.S. with no chance to stand before a judge simply because they were not aware of the newer court date. One source cites absentia court orders increasing 55 percent between May and June 2026.

Second, advancing the date decreases how much time they have to find an attorney, gather their documentation and prepare their argument explaining why they need protection. Those fortunate enough to find an attorney are still faced with a reduced timeline to prepare their case, contact international witnesses and get everything organized before the new court date.

► Increased use of Immigration Court to Handle Asylum Claims

Immigration court is only one way the government processes asylum claims. Previously, rather than in immigration court, the first chance an asylum-seeker had to explain their fear of persecution would often be through an interview with an asylum officer under U.S. Citizenship and Immigration Services.

These officers have specialized training in various country conditions, asylum law, and interview skills for speaking with survivors of torture or severe trauma.

While this is still one method of processing asylum cases, under a new rule, some asylum cases are instead being channeled away from these officers and going directly into immigration court, further limiting their ability to argue for the validity of their asylum claim given the changes to court outlined above.



CONCERNS FOR OTHER VULNERABLE GROUPS

In addition to these due process issues, World Relief has ongoing concern for unaccompanied minors. These are immigrant children in the U.S. without a parent or legal guardian.

They often come fleeing gang violence, extortion or other dangerous situations. Similar to trends we have shared here about the turnover of immigration judges, there have been funding cuts for highly skilled legal representatives for unaccompanied minors in recent months.

These children are at a much higher risk of being denied protection they need or sent into dangerous situations in other countries. World Relief believes young children should never be positioned to represent themselves in any legal proceeding whatsoever.



WHAT CAN YOU DO?

▶ Share this information. Pass it along to friends and family members. Most people don't know how this system has historically worked, so when detrimental changes take place, people don't notice. We want to change that.

▶ Get involved. Volunteer as we come alongside families and individuals navigating the complexities of the immigration system. Our team can connect you to what you are most passionate about, whether that's with World Relief Chicagoland or one of our partner organizations. Send an email to volunteerchicagoland@wr.org.

▶ Advocate. Ask Congress and the administration to restore due process for asylum seekers and others seeking safety in our communities. Contact your elected officials, and share this short script with them:

Hi, I'm your constituent from (city, zip code). I have recently been learning more about due process violations happening in immigration court, which is resulting in asylum seekers and other immigrants being denied their due process rights and their opportunity to argue their claim for protection.

Some have even been denied asylum and deported to other countries where they experience dangerous violence, including sexual violence or even death.

This troubles me greatly because (add any personal reasons why). I want to ask my Congressperson to escalate this issue, to hold our country to a high standard of due process for all, and to ensure that protections for those who need this life-saving pathway are intact.

SOURCES AND FURTHER READING

Increased Asylum Cases Sent to Immigration Court

<https://www.americanimmigrationcouncil.org/blog/new-uscis-asylum-interview-rule/>

<https://www.foxnews.com/politics/exclusive-trump-admin-fast-tracks-asylum-cases-bypassing-interviews-slash-backlog>

Immigration Judges

<https://www.npr.org/2026/01/10/nx-s1-5672386/the-trump-administration-fired-nearly-100-immigration-judges-in-2025-whats-next>

<https://www.nytimes.com/2026/04/09/us/politics/trump-miller-immigration-judges-purge.html>

<https://www.washingtonpost.com/immigration/2026/04/27/justice-department-immigration-judges-deportation/>

<https://www.pbs.org/newshour/show/ex-doj-officials-reflect-on-trumps-transformation-of-the-institution>

Mega Master Hearings

<https://austinkocher.substack.com/p/mega-masters-the-data-behind-the%C2%A0%C2%A0>

<https://www.washingtonexaminer.com/news/justice/4691700/immigration-courts-bulk-schedule-cases-mega-masters/>

Asylum Approval Rates

https://tracreports.org/reports/779/?utm_source=substack&utm_medium=email

<https://tracreports.org/phptools/immigration/asylum>

Unaccompanied Minors

<https://www.cbsnews.com/chicago/news/immigration-judge-deports-abandoned-children/>

<https://supportkind.org/resources/access-to-legal-assistance-for-unaccompanied-and-separated-children/>

<https://www.pbs.org/newshour/show/unaccompanied-migrant-children-at-risk-of-losing-legal-representation>

https://washingtonsun.com/immigration/baby-asylum-hearing?redirected=notus_org

<https://www.americanimmigrationcouncil.org/blog/trump-administration-makes-it-harder-for-unaccompanied-children-to-navigate-the-immigration-courts-by-attacking-their-right-to-counsel/>