

The Long Wait for a Day in Court

By Rachel Braver

2021 In 2021, Felix* presented himself to immigration officials at the US border and explained that he was fleeing years of political persecution in his home country. He was granted parole and allowed to enter the country to pursue asylum.

2022 Felix made his way to Baltimore, where he connected with AWE. He told his story to the AWE Immigration Legal Services team, and they agreed to represent him in his asylum case. Felix submitted his asylum application in summer 2022. The Baltimore Immigration Court instructed him to return in winter 2023 for his individual hearing.

An individual hearing is the main court hearing where an asylum applicant presents their evidence and testimony, answers questions from government attorneys, and receives a decision from an immigration judge.

Felix spent many difficult hours with a medical doctor and a psychologist, describing in detail the injuries incurred during his detention and torture in his home country and the trauma symptoms he continues to experience. The doctor and psychologist compiled their findings, along with photos of his scars, into a detailed report. His lawyer submitted the report to the court, along with declarations from Felix's friends and family members testifying to his persecution and articles about the political context of his home country. Felix and his legal team felt prepared for the hearing. Felix was excited to put this difficult process behind him and begin to rebuild his life.

2023 Then, four months before the scheduled hearing, the court cancelled the hearing and rescheduled it for early 2025 without explanation. This meant another year in limbo. Felix decided to spend the year focusing on his job and working with his therapist.

2024 In mid-2024, Felix resumed preparations with the AWE legal team. The team hired a country conditions expert to testify at the hearing and the doctor and therapist who prepared the medical report agreed to testify as well. Felix began preparing for his testimony again, requiring him to relive painful memories of torture and detention.

2025 But then, just a month before the scheduled hearing, Felix received a letter in the mail: his hearing was postponed again - this time to early 2026.

Felix's legal team informed the expert, the doctor, and the psychologist who were scheduled to testify. Felix returned to work, trying his best to build a life while stuck in legal limbo.

By the end of 2025, Felix had been waiting for his hearing so long that his temporary work authorization had expired.

Asylum seekers can apply for temporary **work authorization**, which grants them the right to work while they wait for their case to be adjudicated. Historically, it was free for asylum seekers to apply for their initial work authorization, and renewal applications cost \$470. However, in July 2025, the government began charging asylum seekers \$550 for the initial authorization and \$745 for renewals. Additionally, in December 2025, the government reduced the validity period of work authorization documents from five years to just 18 months. The government has proposed other policies to hinder the ability of asylum seekers to legally work to support themselves while their cases are pending.

As the new court date neared, Felix once again started preparing for the hearing with the AWE legal team. However, three months before the hearing date, the team checked the court website to discover that Felix's hearing was no longer on the calendar.

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The team called the court and found out that the hearing had been cancelled because of a shortage of immigration judges.

Last year, **the government fired immigration court judges** in unprecedented numbers: over 100 of the around 700 sitting immigration judges were terminated.

Now, Felix is waiting for a new court date. But his path to safety and security faces a new obstacle: the threat of deportation under an Asylum Cooperative Agreement, which allows the government to deport asylum seekers to a third country.

Asylum Cooperative Agreements (ACAs) are agreements between the US and other countries that allow for the deportation of asylum seekers to those third countries to pursue their asylum claims there, instead of in the US. Under an ACA, an asylum seeker can be deported without the opportunity to present their protection claim to a judge in the US. Often, deportees are sent to countries where they have never been, have no connections, and do not speak the language. For example, in December 2025, an asylum seeker from Nepal was ordered removed to Uganda.

None of these agreements were in effect in 2023, when Felix's original hearing was scheduled.

Five years after entering the US in hope of finding safety and security, Felix is still living in legal limbo, facing a new immigration landscape where his day in court is no longer guaranteed.

**Name changed for client's privacy*