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**Politics**

# This is what happens when your immigration judge is fired

The SF court will be down to four judges in January. Thousands of asylum seekers will have to wait years more for their hearing dates.

By **Jesse Alejandro Cottrell**

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In November, undocumented Pakistani immigrant SK was just weeks away from the court hearing that might determine whether he received asylum. He'd been waiting since December 2020.

Then the judge handling his case was fired.

In early December, the Department of Homeland Security updated the hearing date: summer 2029. "This really shattered my dream," said SK, 37. (The Standard is identifying him by his initials because of his safety concerns.)

SK joins thousands of asylum seekers whose cases have been upended by the gutting of the immigration bench. In 2025, 13 of the court's 21 judges were

fired. Of the eight remaining, four said they will retire at the end of this year. That will leave four judges at the court as of January, 80% fewer than a year earlier.

For SK and other asylum seekers, this compounds an already difficult year. Longer waits for hearing dates can mean cases weaken as witnesses become unreachable and memories fade.

And the longer an asylum applicant lives in the U.S. without resolution in their case, the greater the chance of being detained by Immigration and Customs Enforcement, possibly leading to deportation.

This possibility rattled SK. He spent most of 2025 in his apartment, so afraid to go out he even sold his car. “I don’t want to drive outside so that ICE will catch me,” he said.

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The SF Immigration Court death spiral accelerates

But SK was confident that he had a strong case for asylum. He fled Pakistan a decade ago after being charged with blasphemy, a crime that carries the death penalty. He arrived in the U.S. in January 2020 on a J-1 training visa to work at a luxury hotel in Los Angeles, but when Covid hit was relocated to Austin, Texas, to work in a hotel serving as a quarantine facility. “So I risk my own life in the new country,” SK said. “I help a lot of old American citizens.”

Aside from the facts of his case, SK felt confident he’d receive asylum because his judge, Shuting Chen, had granted it in 89% of her cases in the previous three years.

Prior to her firing in November, Chen spent much of the last year dealing with the fallout of colleagues’ firings. Some of their cases landed on her docket.

“The amount of work significantly increased because of the number of judges who were being fired,” she said. When a case is passed from one judge to another, the receiving judge has to study the records, testimony, and evidence. “That takes quite a bit of time, and it creates a lot of inefficiencies in the system. I think it’s a waste of taxpayer dollars to have three different judges go through the same case. But that is how it’s working currently.”

In cases she inherited where testimony had already been heard, Chen tried to find time to issue decisions. For other cases in which a hearing had not taken place, such as SK’s, her full schedule left her no choice but to move the hearing dates to the end of her calendar — in 2029.

When Chen was fired in November, she left behind a relatively small docket: roughly 4,000 cases. The Standard spoke with four other fired immigration judges who said they had left behind more than 5,000 pending cases each.

Chen said some of those cases could be heard before 2029 if a sitting judge chooses to prioritize them. But that grows less likely as the U.S. Department of Justice continues to strip down the courts. “All of my remaining colleagues

have calendars that are booked to the gills,” Chen said. “And so I think the likelihood of getting a case advanced is probably low.”

If SK’s case is any indication, tens of thousands of asylum seekers will wait several more years for their day in court. One judge stressed that many of the cases will probably be heard later than 2029 — that is the earliest the DOJ is allowing judges to schedule them. In the meantime, their cases will likely weaken.

“Memories are gonna fade about events that occurred in their home countries,” Chen said. “Witnesses will relocate or die during the 10 years when the case has remained pending. And that creates a lot of problems for asylum seekers who bear the burden of establishing eligibility for relief, meaning that they are the ones responsible for producing the evidence. The delay in their cases will very often hurt people with bona fide asylum claims.”

The delay also leaves asylum seekers vulnerable to detention. The Trump administration regularly targets undocumented people who remain on the government’s radar as their asylum cases make their way through the courts. The longer they have to wait to see a judge, the greater the chance of being detained by ICE.

Fernanda Bueno, an attorney in Marin who represents more than 1,000 immigrants fighting deportation, has had several clients detained this year while waiting for a judge’s decision. More than 100 of her clients have had their hearings rescheduled because of the judge firings. In one case, a client who had waited since 2016 to see a judge was just days away from a hearing. “And like a week before the individual hearing, they were pushed out to 2029,” Bueno said.

As of September, when 16 judges remained, San Francisco Immigration Court had a backlog of 120,000 cases, the 10th largest in the nation.

Several judges told The Standard they expect the firings to continue until the court is closed. In that case, asylum seekers could see their cases moved to the Concord or Sacramento courts — though those have also seen their judicial benches decimated this year. If all Northern California courts continue to shrink, asylum seekers might see their cases moved to Southern California or Portland, Oregon, requiring them to travel hundreds of miles to attend hearings.

Another possibility is that the Department of Justice will appoint military judges to fill the bench at San Francisco’s court. In September, Defense Secretary Pete Hegseth approved the temporary deployment of 600 Judge Advocate General attorneys to work as immigration judges across the U.S. Thirty of these military judges have been deployed so far and have issued deportation orders in 78% of cases, versus 63% for all other judges, according to federal data analyzed by Mobile Pathways, a San Francisco nonprofit.

SK is still in shock. He recently married a woman who lives in Doha, Qatar. He planned to sponsor her to come to the U.S. once his asylum claim was adjudicated in January. Now they have few options. “I am crying. She is crying,” SK said. “We don’t know what comes next.”

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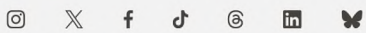


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