

U.S. Rep. Gallagher: Introduces bill to strengthen immigration court system and empower immigration judges

Posted on Tuesday, Dec 5, 2023

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WASHINGTON, D.C. — Rep. Mike Gallagher (R-WI) introduced the [Empowering Immigration Courts Act](#). This bill would give immigration judges [the authority](#) to impose fines on anyone found to be in contempt of their court, giving them the same contempt authority that federal district court judges have.

“While our immigration system faces many challenges, one of the clearest and easiest-to-fix problems is the fact that immigration judges lack contempt authority. This allows individuals going before an immigration court to defy their court date and make a mockery of the immigration court system. The Empowering Immigration Courts Act fixes this problem by giving immigration judges the same contempt authority granted to all other federal judges so they can restore order and accountability in their courtrooms and quickly resolve their court cases.” said Rep. Gallagher.

While a law passed in 1996 allows for the Attorney General to define regulations for immigration judges to impose fines, none have been put in place since the law’s enactment 25 years ago.

The lack of functional contempt power is often cited as a leading reason why immigration judges face an ever-increasing caseload. Earlier this year, the Harvard Law Review published a note titled, [“Courts in Name Only: Repairing America’s Immigration Adjudication System.”](#) One of the reforms proposed in this note to improve our immigration court system is for immigration judges to be granted

contempt authority.

The Heritage Foundation also [published a study](#) indicating that this lack of authority means those that come before the court “cannot be held accountable to the judge with respect to matters such as timelines, docketing dates, or even court orders.”

Additionally, the American Bar Association’s (ABA) report titled, [“Reforming the Immigration System”](#) noted that absent the authority to hold litigants in contempt of court, “immigration judges are again rendered powerless to control their own courtrooms and enforce compliance with potential time saving programs.”