



U.S. Department of Justice
Justice Management Division
Office of General Counsel

Washington, D.C. 20530

NOV 09 2018

Professor Jacqueline Stevens
Northwestern University
Department of Political Science
Email: Jacqueline-stevens@northwestern.edu

RE: JMD FOIA Tracking Number 113460

Dear Professor Stevens:

I am responding on behalf of the Justice Management Division (JMD) to your Freedom of Information Act (FOIA) request dated November 8, 2012, which you sent to the Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) FOIA Service Center. Your request sought (1) materials on which officials at EOIR relied for assessments of immigration court case load management of hearing schedules and completions for detained respondents; and (2) orders, decisions, and recommendations that convey agency efforts to implement the goal of completing 85 percent of all detained cases within 60 days. I apologize for the extreme delay in responding to your request.

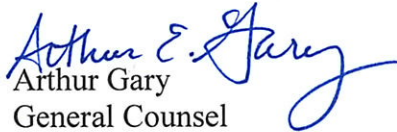
On December 2, 2014, EOIR referred 92 pages of records of interest to JMD for direct response to you. We have reviewed the documents referred to us by EOIR, and have determined that the enclosed 51 pages can be released in full. We have withheld in full 41 pages under Exemption 5 of the FOIA, as they consist of drafts, internal meeting materials, white papers, and predecisional communications within DOJ and between DOJ and OMB, which are covered by the deliberative process privilege.

You may contact our FOIA Public Liaison, Karen McFadden at (202) 514-3101 or at JMDFOIA.gov for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite

11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or transmitted electronically within 90 days of the date of the response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,


Arthur Gary
General Counsel

Attachment 1

**High Priority Performance Goals:
Goal Leader Analysis of Progress Survey**

Demographic Info

Agency: Department of Justice, Executive Office for Immigration Review

Goal ID: 61

Goal Leader Name:* Juan Osuna

Goal Leader Phone:* 703-605-1365

Goal Leader E-mail:* juan.osuna@usdoj.gov

*Please also validate this is accurately reflected on Performance.gov

Current Quarter's Progress

1. Were this quarter's targets and milestones met?

- Yes, met all milestones and targets
- Large extent, met most milestones and targets
- Small extent, met some milestones and targets
- No, missed all milestones and targets

Please add any additional explanation of this quarter's progress (target/milestones met) that may not be appropriate to display on Performance.gov: The Executive Office for Immigration Review (EOIR) exceeded its most important target of completing 85% of immigration court detained cases in 60 days. This is the only quarterly target for this priority goal.

2a. If this quarter's targets and milestones were met, is this reflected on Performance.gov (i.e. updated quarterly metrics, milestones, explanation of actual field, and narratives) and does the website explain why?

- Yes
- No
- Not Applicable

If no, please explain why:

2b. If this quarter's targets and milestones were not met, is this reflected on Performance.gov (i.e. updated quarterly metrics, milestones, explanation of actual field, and narratives), and does the website explain why as well as how the agency plans to improve performance?

- Yes
- No
- Not Applicable

If no, please explain why:

Risk of Not Achieving the Planned Level of Performance

3. How likely is the agency to achieve the Priority Goal as currently stated on Performance.gov?

- Already achieved
- On track to achieve
- Minor obstacles encountered or likely to be encountered
- Significant obstacles encountered or likely to be encountered
- Unlikely to achieve even with significant corrective action (or "at risk" under the GPRA Modernization Act)
- Missed/will not be achieved (or "at risk" under the GPRA Modernization Act)

Please explain your answer: Although EOIR is on track to meet the portion of the priority goal that deals with the timely adjudication of detained immigration court cases, there are several factors that make it impossible to meet the goal of increasing the number of immigration judges to 301 on board by the end of the fiscal year. First, the FY 2011 budget does not include the additional 21 immigration judge positions that would bring the authorized level to 301. Second, the FY 2011 budget was not passed until April. Third, EOIR is subject to the current DOJ hiring freeze.

4. Based on available information, what is your confidence level in your answer to the previous question?

- High confidence (Able to predict if target will be achieved with high confidence, assuming no major changes in current circumstances)
- Moderate-High confidence
- Moderate-Low confidence
- Low confidence (Do not have sufficient evidence on which to base an assessment)

Please describe the data sources, conversations, meetings, or other evidence used to make this assessment: Regarding the timely completion of detained immigration court cases, EOIR is confident that it will meet that portion of the goal assuming no significant deviations from current expectations regarding the agency's caseload for the rest of FY 2011. With respect to the immigration judge hiring goal, see the response to item 3 above.

The case completion data is drawn from EOIR's nationwide case tracking system, known as the Case Access System for EOIR. The data sources for the immigration judge hiring data include staffing data, conversations with the Office of the Chief Immigration Judge, and discussions between EOIR's Executive Secretariat and the Office of the Deputy Attorney General, as well as other DOJ components.

Future Actions

5. If the goal was identified as facing a) minor obstacles, b) significant obstacles, c) unlikely to achieve or d) missed/will not be achieved, what corrective actions are you planning to take to improve performance on the Priority Goal? (check all that apply)

- New strategies for achieving goal
- New metrics for measuring performance
- Additional technical assistance or training of agency personnel
- Greater cross-agency coordination
- Connecting Goal Leader or staff with others working on similar issues
- Improved state/local/partner coordination or alignment
- Improved administration support (IT, HR, procurement, etc)
- Engage experts to better understand the causes and drivers affecting progress and/or offer possible solutions
- Increased attention and support from the PIC and/or PIC staff (please provide more detail below)
- Increased attention and support from OMB (please provide more detail below)
- Other _____
- No additional actions could significantly increase performance

Please explain your answer: EOIR is already coordinating with the Department of Homeland Security to try to determine the size of the detained caseload so that EOIR's resources can be appropriately allocated to continue to meet the goal of completion of at least 85% of detained immigration court cases within 60 days. DOJ and EOIR have modified the IJ hiring process in order to reduce the time required to have new judges enter on duty; however, if the current DOJ hiring freeze continues, then it is impossible to hire new judges.

Demonstration of Progress (optional)

6. If you have made great progress, overcame a challenge or made a positive impact we invite you to share your success story:

Summary of progress or success story: EOIR has significantly reduced the length of time that it takes to hire new immigration judges. However, EOIR has been unable to use the new processes to their fullest extent due to the current DOJ hiring freeze.

Point of contact name, e-mail address and phone number for follow-up:

Amy Dale
Amy.dale@usdoj.gov
 703-605-0445

Quarterly Status Report - High Priority Performance Goal

FY 2011

Immigration: Increase immigration judges by 19 percent by the end of FY 2011 so that as DHS criminal alien enforcement activity increases, not less than 85 percent of the immigration court detained cases are completed within 60 days.

	FY 2011										2-Yr Target						
	FY 2009 Actual	Annual Target	Q1 Actual	Q1 Target	Q1 Met/Not Met	Q2 Actual	Q2 Target	Q2 Met/Not Met	Q3 Actual	Q3 Target		Q3 Met/Not Met	Q4 Actual	Q4 Target	Q4 Met/Not Met	FY 2011 Total to-Date	Met/Not Met
Immigration																	
Percent of detained cases completed within 60 days	92%	85.00%	85.00%	85.00%	Met	85.00%	85.00%	Met	85.00%	85.00%	Met	85.00%	85.00%	87.00%		85.00%	
Us on Board (reported in PREP on an annual basis)	232	301	270	N/A		268	N/A		267	N/A		N/A	N/A	267		301	
Indicators																	
Vacancies		N/A	31	N/A		33	N/A		34	N/A		N/A	N/A	34		N/A	
Number of Us Departed (Attrition)		N/A	2	N/A		3	N/A		2	N/A		N/A	N/A	7		N/A	
Vacancy Announcements Issued		N/A	4	N/A		0	N/A		0	N/A		N/A	N/A	4		N/A	
Applications Screened by EOIR		N/A	1,400	N/A		0	N/A		159	N/A		N/A	N/A	1559		N/A	
Candidates Interviewed by EOIR		N/A	108	N/A		0	N/A		0	N/A		N/A	N/A	108		N/A	
Vacancies Referred to DAG Selection Panel		N/A	7	N/A		0	N/A		0	N/A		N/A	N/A	7		N/A	
Referrals through the DAG to the AG		N/A	6	N/A		0	N/A		0	N/A		N/A	N/A	6		N/A	
Judges EOD		N/A	34	N/A		1	N/A		1	N/A		N/A	N/A	36		N/A	
Milestones																	
Coordinate with DHS on detention projects and enforcement initiatives		Completion status															
		More than 50% complete															

Quarterly update EOIR held discussions with DHS detention personnel to coordinate operations on May 11 and June 26, 2011.

**Performance.gov – Priority Goal Progress Updates
Department of Justice
Immigration**

Goal title: Immigration

Goal statement: Increase immigration judges by 19 percent by the end of FY 2011 so that as DHS criminal alien enforcement activity increases, not less than 85 percent of the immigration court detained cases are completed within 60 days.

Progress Update: During the second half of FY 2011, the Executive Office for Immigration Review (EOIR) saw a four percent increase (90%) in the detained immigration court cases completed in 60 days. This is despite the DOJ hiring freeze that was in effect since January 21, 2011. EOIR coordinates closely with the Department of Homeland Security to try to determine the size of the detained caseload so that EOIR's resources can be appropriately allocated to continue to meet the priority goal. In addition, EOIR has implemented various case management strategies to handle the large detained caseload. These strategies include the following items.

- Clearly communicated the detained case priority goal to all immigration judges and managers.
- Reassigned immigration judges from non-detained to detained dockets.
- Increased the percentage of detained docket time in courts with mixed dockets.
- Reexamined the immigration judges' schedules and rearranged certain schedules to maximize detained case hearing time.
- Continued to utilize EOIR's Headquarters video court for detained cases.

Overall for the entire fiscal year, EOIR completed 88% of detained immigration court cases within the goal of 60 days. However, EOIR was unable to meet the portion of the goal that called for an increase of immigration judges due to the DOJ hiring freeze and the FY 2011 enacted funding level, which was \$19 million less than the FY 2011 President's Budget request; \$11 million of that reduction would have funded 21 additional immigration judges.

Once feedback is collected from OMB and other White House offices, this document will be updated in track changes on MAX, and an email will be sent to the appropriate points of contact in the agency. Please list below who you would like to receive the notice that comments are available:

Name	Position	Email	Phone
Amy Dale	Assistant Director, OPAT, EOIR	Amy.dale@usdoj.gov	703-605-0445
Deborah Blacksten	Deputy Assistant Director, OPAT	Deborah.a.blacksten@usdoj.gov	703-305-1142
Jill Meldon	Assistant Director, PPG	Jill.meldon2@usdoj.gov	202-616-3770

If you have any questions about this process, feel free to contact Amanda Branting at abranting@omb.eop.gov or (202) 395-1327.



U.S. Department of Justice

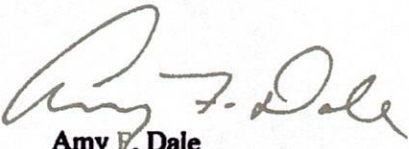
Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike Suite 2630
Falls Church Virginia 22041

October 8, 2010

MEMORANDUM FOR: Paula Nasca
Associate Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: Submission for Management's Discussion and Analysis

The annual submission for the Department's Management's Discussion and Analysis is due to the Department on October 13, 2010. The Executive Office for Immigration Review (EOIR) exceeded all three of its targets in FY 2010. My staff provided the draft submission to the Office of the Chief Immigration Judge (OCIJ) and the Board of Immigration Appeals (BIA) for review, and everyone has concurred on its accuracy.

The reporting requirements include a data definitions section, an explanation of how we met our goals, and a discussion of discontinued measures. Since we did not miss any of our goals, we were not required to provide an explanation of what measures we would take in the future to meet any missed goals.

The proposed submission is attached for your review. Please provide your concurrence or non-concurrence below. If you have any questions, do not hesitate to contact Deborah Blacksten, in my absence. Thank you.

Attachment

Concur:  _____

Non-Concur: _____



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

April 25, 2011

MEMORANDUM TO: Juan P. Osuna
Acting Director

THROUGH: Paula Nasca
Associate Director

FROM: Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2011 Second Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's second quarter Government Performance and Results Act (GPRA) goals, which is due to the Department April 29, 2011. We are required to report each quarter on our achievement in the agency's three target areas. For the second quarter of FY 2011, the agency met all of its goals.

With your concurrence, I will submit this information to the Department.

Approve _____

Date: _____

4-28-11

Disapprove _____

Date: _____

Attachment: FY 2011 Quarter 2 Quarterly Status Report



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

July 19, 2011

MEMORANDUM TO: Juan P. Osuna
Director

THROUGH: Paula Nasca
Associate Director

FROM: Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2011 Third Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's third quarter Government Performance and Results Act (GPRA) goals, which is due to the Department July 29, 2011. We are required to report each quarter on our achievement in the agency's three target areas. For the third quarter of FY 2011, the agency met all of its goals.

With your concurrence, I will submit this information to the Department.

Approve _____

Date: _____

7-21-11

Disapprove _____

Date: _____

Attachment: FY 2011 Quarter 3 Quarterly Status Report

Quarterly Status Report - Performance

FY 2011 Third Quarter

Decision Unit or Component: Executive Office for Immigration Review

Green

Overall Score:

Goal: III. Objectives: 3.5

DOJ Strategic Goal/Objective

If a measure is not met, a discussion must be included in the row below the performance measure.

Executive Office for Immigration Review	FY 2011												FY 2012						
	FY 2010				FY 2011				FY 2011				YTD	Target					
	Target	Actual	Score	Annual Target	Q1 Target	Q1 Actual	Q1 Score	Q2 Target	Q2 Actual	Q2 Score	Q3 Target	Q3 Actual	Q3 Score	Q4 Target	Q4 Actual	Q4 Score	FY 2011 Total to Date		
Executive Office for Immigration Review																			
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85.00%	87.50%	Green	85.00%	85.00%	85.00%	Green	85.00%	86.00%	86.00%	90.00%	90.00%	Green	86.00%		N/A	87.00%	Green	85.00%
Complete 85% of immigration court detained cases within 60 days	85.00%	89.80%	Green	85.00%	85.00%	85.00%	Green	85.00%	86.00%	86.00%	90.00%	90.00%	Green	85.00%		N/A	87.00%	Green	85.00%
Complete 80% of detained appeals within 150 days	90.00%	92.75%	Green	90.00%	90.00%	87.00%	Yellow	90.00%	96.00%	96.00%	90.00%	96.00%	Green	90.00%		N/A	90.00%	Green	90.00%



U.S. Department of Justice

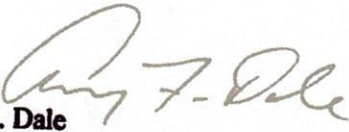
Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

October 12, 2011

MEMORANDUM FOR: Juan P. Osuna
Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: Submission for Management's Discussion and Analysis

The annual submission for the Department's Management's Discussion and Analysis is due to the Department on October 14, 2011. The Executive Office for Immigration Review (EOIR) exceeded all three of its targets in FY 2011.

The reporting requirements include a data definitions section and an explanation of how we met our goals. Since we did not miss any of our goals, we were not required to provide an explanation of what measures we would take in the future to meet any missed goals. In addition, the Department has requested information on any program evaluations conducted in FY 2011.

The proposed submission is attached for your review. Please provide your concurrence or non-concurrence below. If you have any questions, do not hesitate to contact me. Thank you.

Attachments

cc: Ana Kocur

Concur: Ana M. Kocur for Juan Osuna

Non-Concur: _____



U.S. Department of Justice

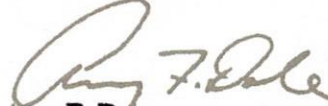
Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

January 28, 2010

MEMORANDUM TO: Tom Snow
Acting Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2010 First Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's first quarter Government Performance and Results Act (GPRA) goals, which is due to the Department February 1, 2010. The main changes for this fiscal year are that we are no longer required to report on PART Follow-up Actions. Additionally, EOIR modified its measures to the following: complete 85 percent of immigration court detained cases within 60 days, complete 85 percent of Institutional Hearing Program cases before release, and complete 90 percent of detained appeals in 150 days. The measure regarding expedited asylum cases was eliminated. The Department approved these measures and notified the Office of Management and Budget (OMB). We are required to report each quarter on our achievement in the agency's three target areas. For the first quarter of FY 2010, the agency met all of its goals.

With your concurrence, I will submit this information to the Department.

Approve  Date: Jan 28, 2010

Disapprove _____ Date: _____

Attachment: FY 2010 Quarter 1 Quarterly Status Report

Quarterly Status Report - Performance																				
FY 2010 First Quarter																				
Decision Unit or Component: Executive Office for Immigration Review																				
Overall Score: Green																				
DOJ Strategic Goal/Objective: Goals III Objectives: 3.5																				
If a measure is not met, a discussion must be included in the row below the performance measure.																				
	FY 2009				FY 2010								FY 2011							
	Target	Actual	Score	Annual Target	Q1 Target	Q1 Actual	Q1 Score	Q2 Target	Q2 Actual	Q2 Score	Q3 Target	Q3 Actual	Q3 Score	Q4 Target	Q4 Actual	Q4 Score	FY 2010 Total to Date	YTD Score	Target	
Executive Office for Immigration Review																				
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	90.00%	90.25%	Green	85.00%	85.00%	87.00%	Green	85.00%		N/A	85.00%		N/A	85.00%		N/A	87.00%	Green	85.00%	
* Complete 85% of Immigration court detained cases within 60 days	90.00%	86.75%	Yellow	85.00%	85.00%	91.00%	Green	85.00%		N/A	85.00%		N/A	85.00%		N/A	91.00%	Green	85.00%	
Complete 90% of detained appeals within 150 days	90.00%	96.75%	Green	90.00%	90.00%	95.00%	Green	90.00%		N/A	90.00%		N/A	90.00%		N/A	95.00%	Green	90.00%	
** Complete 90% of expedited asylum cases within 180 days	90.00%	81.25%	Yellow																	

* In FY 2009, the measure was to complete 90 percent of detained cases without applications for relief within 30 days. This measure has been changed for FY 2010 to reflect the entire immigration court detained caseload.

** This measure was discontinued for FY 2010.



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

April 27, 2010

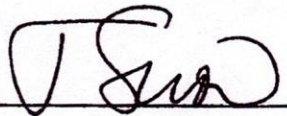
MEMORANDUM TO: Tom Snow
Acting Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2010 Second Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's second quarter Government Performance and Results Act (GPRA) goals, which is due to the Department April 30, 2010. We are required to report each quarter on our achievement in the agency's three target areas. For the second quarter of FY 2010, the agency met all of its goals.

With your concurrence, I will submit this information to the Department.

Approve  Date: 4/28/10

Disapprove _____ Date: _____

Attachment: FY 2010 Quarter 2 Quarterly Status Report

cc: Paula Nasca, Associate Director



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike Suite 2630
Falls Church, Virginia 22041

July 26, 2010

MEMORANDUM TO: Paula Nasca
Associate Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

EOIR Non-Responsive

SUBJECT: FY 2010 Third Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's third quarter Government Performance and Results Act (GPRA) goals, which is due to the Department July 30, 2010. We are required to report each quarter on our achievement in the agency's three target areas. For the third quarter of FY 2010, the agency met all of its goals.

With your concurrence, I will submit this information to the Department.

Approve  Date: 7/28/10

Disapprove _____ Date: _____

Attachment: FY 2010 Quarter 3 Quarterly Status Report



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

January 24, 2011

MEMORANDUM TO: Juan P. Osuna
Acting Director

THROUGH: Paula Nasca
Associate Director

FROM: *D. Pflueger for*
Amy F. Dale
Assistant Director, Office of Planning, Analysis, and Technology

SUBJECT: FY 2011 First Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's first quarter Government Performance and Results Act (GPRA) goals, which is due to the Department on January 31, 2011. We are required to report each quarter on our achievement in the agency's three target areas. For the first quarter of FY 2009, EOIR met two of its goals. The Board of Immigration Appeals did not meet their target as explained in the discussion portion of the Quarterly Status Report - Performance.

With your concurrence, I will submit this information to the Department.

Approve *[Signature]* Date: 1-28-11

Disapprove _____ Date: _____

Attachment: FY 2011 Quarter 1 Quarterly Status Report

Quarterly Status Report - Performance

FY 2011 First Quarter

Decision Unit or Component: Executive Office for Immigration Review

Overall Score: [REDACTED]

Goals: III. Objectives: 3.5

If a measure is not met, a discussion must be included in the row below the performance measure.

Executive Office for Immigration Review	FY 2010		FY 2011										FY 2012							
	Target	Actual	Annual Target	Annual Score	Q1 Target	Q1 Actual	Q1 Score	Q2 Target	Q2 Actual	Q2 Score	Q3 Target	Q3 Actual	Q3 Score	Q4 Target	Q4 Actual	Q4 Score	FY 2011 Total to Date	YTD Score	Target	
	Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85.00%	87.50%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%
Complete 85% of Immigration court detained cases within 60 days	85.00%	88.60%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%	85.00%
Complete 80% of detained appeals within 150 days	90.00%	92.75%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%	87.00%	Yellow	90.00%	90.00%

Discussion: Multiple factors contributed to the Board's failure to achieve its goal of completing 80% of detained cases within 150 days, including: a concerted effort to improve the quality of its written decisions, competition for limited resources to meet the Board's critical and competing goals (GPPA and regulatory deadlines); and a dramatic increase in the number of visa petition appeals. The Board has taken steps to address the situation, including: implementing new report tracking to more closely monitor the deadline; instituting new layers of "checks and balances" to identify and complete cases nearing the deadline; reappportioning internal deadlines for each stage of the adjudication process; clarification to all Board staff of the priority of competing due dates; and, reinforcement at all levels of the organization of the importance of achieving the GPPA goal.



U.S. Department of Justice
Executive Office for Immigration Review
Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

January 24, 2012

MEMORANDUM TO: Juan P. Osuna
Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2012 First Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's first quarter Government Performance and Results Act (GPRA) goals, which is due to the Department January 30, 2012.

The Justice Management Division (JMD) requested that EOIR add a new key indicator in FY 2012 to show that despite meeting its goals in the detained arena, a lack of immigration judges is causing problems for the agency. EOIR presented, and JMD agreed to, a new indicator of immigration court matters pending. EOIR added and reported this key indicator in the attached report. For the first quarter of FY 2012, the agency met all of its goals. With your concurrence, I will submit this information to the Department.

Approve



Date: 1-30-12

Disapprove

Date: _____

Attachment: FY 2012 Quarter 1 Quarterly Status Report

Quarterly Status Report - Performance

FY 2012 First Quarter

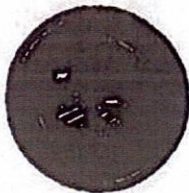
Decision Unit or Component: Executive Office for Immigration Review

Overall Score: Green

DOJ Strategic Goal/Objective: Goals: III. Objectives: 3.4

If a measure is not met, a discussion must be included in the row below the performance measure.

	FY 2011		FY 2012												FY 2012 YTD Score		
	Target	Actual	Annual Target	Score	Q1		Q2		Q3		Q4		FY 2012 Total to- Date				
					Target	Actual	Target	Actual	Target	Actual	Target	Actual					
Executive Office for Immigration Review																	
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85.00%	87.50%	85.00%	Green	85.00%	88.00%	Green	85.00%	N/A	85.00%	N/A	85.00%	N/A	85.00%	89.00%	Green	85.00%
Complete 85% of Immigration court detained cases within 60 days	85.00%	87.75%	85.00%	Green	85.00%	88.00%	Green	85.00%	N/A	85.00%	N/A	85.00%	N/A	85.00%	89.00%	Green	85.00%
Complete 90% of detained appeals within 150 days	90.00%	94.25%	90.00%	Green	90.00%	90.00%	Green	90.00%	N/A	90.00%	N/A	90.00%	N/A	90.00%	96.00%	Green	90.00%



U.S. Department of Justice


Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

*5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041*

April 24, 2012

MEMORANDUM TO: Juan P. Osuna
Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

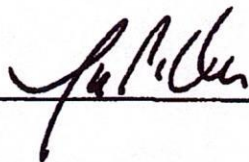
SUBJECT: FY 2012 Second Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's second quarter Government Performance and Results Act (GPRA) goals, which is due to the Department April 30, 2012.

The Justice Management Division (JMD) worked with the Office of Management and Budget to develop a new performance and financial tracking system - QSR Collect. This system will be the sole data entry portal.

For the second quarter of FY 2012, the agency met all of its goals. With your concurrence, I will submit this information to the Department.

Approve _____



Date: _____

4-27-12

Disapprove _____

Date: _____

Attachment: FY 2012 Quarter 2 Quarterly Status Report

cc: Ana Kocur

Quarterly Performance Report

EOIR
FY2012



Overall Score: [REDACTED]

YTD Score: [REDACTED]

Executive Office for Immigration Review

Measure/Issue	Target	Actual Score	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	YTD	YTD	Target
			Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score
Complete 85% of immigration court detained cases within 60 days	85	87.75	85	85	85	85	85	87	85	85	85	87	85
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.5	85	85	85	85	85	87	85	85	85	87	85
Complete 85% of detained appeals within 180 days	80	84.25	80	80	80	80	80	87	80	80	80	87	80
Immigration court matters pending			300,257				313,472					313,472	
Number of appeals received at BIA (those are not targets, but actuals for past years and workload estimates for future years)		35,672	8,350				7,547					15,927	
Number of immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)		420,321	80,161				102,310					201,471	



U.S. Department of Justice

Executive Office for Immigration Review

Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

July 17, 2012

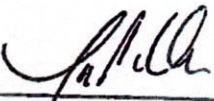
MEMORANDUM TO: Juan P. Osuna
Director

FROM: Amy F. Dale 
Assistant Director, Office of Planning, Analysis, and Technology

SUBJECT: FY 2012 Third Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's third quarter Government Performance and Results Act (GPRA) goals, which is due to the Department on July 30, 2012. We are required to report each quarter on our achievement in the agency's three target areas. For the third quarter of FY 2012, EOIR met all of its goals.

With your concurrence, I will submit this information to the Department.



Juan P. Osuna

7-23-12

Date

Approve: _____

Disapprove: _____

Attachment: FY 2012 Quarter 3 Quarterly Status Report

cc: Ana Kocur

Quarterly Performance Report

EOIR

FY2012



Current Quarter Score: Green

YTD Score: Green

Executive Office for Immigration Review

Measure Name	2011				2012				2013				
	Target	Actual Score	Target	Actual Score	Target	Actual Score	Target	Actual Score					
Complete 85% of immigration court detained cases within 60 days	85	87.75	Green	85	87	Green	85	86	Green	85	87	Green	85
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.5	Green	85	87	Green	85	88	Green	85	87.33	Green	85
Complete 90% of detained appeals within 150 days	90	94.25	Green	90	97	Green	90	97	Green	90	96.67	Green	90
Immigration court matters pending					313,472			322,609					
Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years)		36,672			8,380			7,757					
Number of immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)		428,321			99,161			106,502					



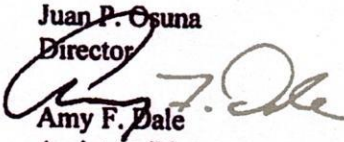
U.S. Department of Justice

Executive Office for Immigration Review
Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

October 10, 2012

MEMORANDUM TO: Juan P. Osuna
Director

FROM: 
Amy F. Dale
Assistant Director


SUBJECT: Submission for Management's Discussion & Analysis

The annual submission for the Department's Management's Discussion and Analysis is due to the Department on October 12, 2012. The Executive Office for Immigration Review (EOIR) exceeded all three of its targets in FY 2012.

The reporting requirements include a data definitions section and an explanation of how we met our goals. Since we did not miss any of our goals, we were not required to provide an explanation of what measures we would take in the future to meet any missed goals. Please note that the Department completes the chart based on the information we provided. In addition, the Department has requested information on any program evaluations conducted in FY 2012. My office has already provided a response to that request, as no evaluations of EOIR were completed during the last fiscal year.

The proposed submission is attached for your review. Please provide your approval or disapproval below. If you have any questions, do not hesitate to contact me. Thank you.

Attachment



JUAN P. OSUNA

10-11-12
DATE

APPROVE: _____

DISAPPROVE: _____

cc: Ana Kocur

Adjudicate Immigration Cases Promptly and Impartially

Background/Program Objectives: The Executive Office for Immigration Review (EOIR) has jurisdiction over various immigration matters relating to the Department of Homeland Security (DHS), aliens, and other parties. EOIR is comprised of three adjudicating components: the Board of Immigration Appeals (BIA), the Immigration Courts, and the Office of the Chief Administrative Hearing Officer. EOIR's mission is to render timely, fair, and well-considered decisions in the cases brought before it. EOIR's ability to achieve its mission is critical to the guarantee of justice and due process in immigration proceedings, and public confidence in the timeliness and quality of EOIR adjudications. Included in this context are the timely grants of relief from removal in meritorious cases and the expeditious issuance of orders of removal for criminal and other inadmissible aliens where no relief is available. To assure mission focus, EOIR has identified adjudication priorities and set specific time frames for most of its proceedings. These priorities include cases involving criminal and other detained aliens, and adjudicative time frames for all detained appeals filed with the BIA. The targets are related to percentages of cases actually completed.

Performance Measure: Percent of EOIR Priority Cases Completed Within Established Time Frames

FY 2012 Target: 85% for Institutional Hearing Program (IHP) and detained immigration court cases and 90% for detained appeals

FY 2012 Actual:

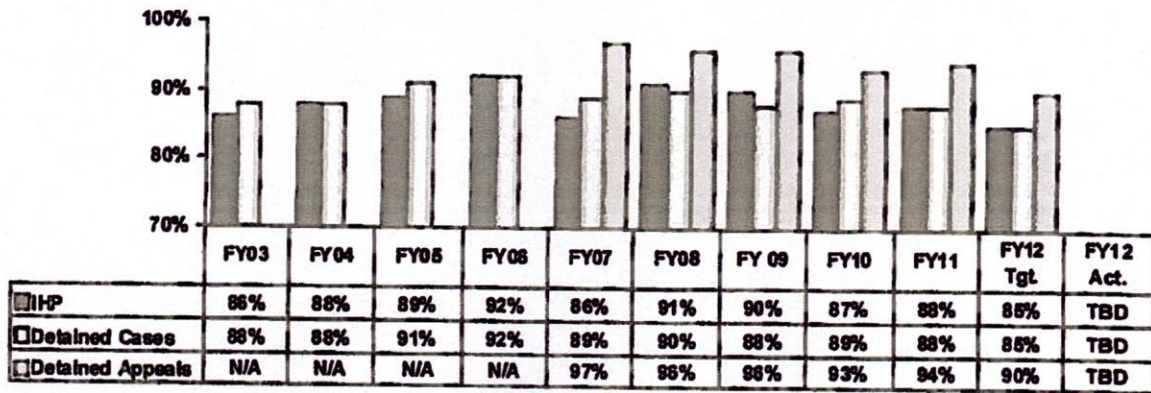
Immigration Court Institutional Hearing Program Cases Completed Prior to Release from Incarceration: 87%

Immigration Court Detained Cases Completed Within 60 Days: 86%

BIA Detained Appeals Completed Within 150 Days: 97%

Discussion of FY 2012 Results: Through careful management of EOIR's resources, the agency exceeded all three of its goals for FY 2012. EOIR placed its focus on completing its large detained caseload. The immigration courts also used video teleconferencing when appropriate to handle the detained immigration court docket, including Institutional Hearing Program cases. The BIA also continued to manage its resources carefully to ensure that it exceeded its goal of completing 90 percent of detained appeals within 150 days. EOIR will continue to look at innovative ways to manage its detained docket, including close coordination with DHS.

Percent of EOIR Priority Cases Completed Within Established Time Frames



Data Definition: The EOIR has defined its priority caseload as two types of immigration court cases (IHP and detained cases) and one type of Board of Immigration Appeals case (detained appeals). The IHP is a collaborative effort between EOIR, DHS and various federal, state, and local corrections agencies. The program permits immigration judges to hold removal hearings inside correctional institutions prior to the alien completing his or her criminal sentence. Detained aliens are those in the custody of DHS or other entities.

Data Collection and Storage: Data are collected from the Case Access System for EOIR (CASE), a nationwide case-tracking system at the trial and appellate levels.

Data Validation and Verification: All data entered by courts nationwide are instantaneously transmitted and stored at EOIR headquarters, which allows for timely and complete data. Data are verified by on-line edits of data fields. Headquarters and field office staff have manuals that list the routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases.

Data Limitations: None known at this time.



U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

October 19, 2012

MEMORANDUM TO: Juan P. Osuna
Director

Amy F. Dale
FROM: Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2012 Fourth Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's fourth quarter Government Performance and Results Act (GPRA) goals, which is due to the Department October 30, 2012.

For the fourth quarter of FY 2012, the agency met three of its four goals; EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by one percent. DOJ requires an explanation for any goals that are missed; EOIR's explanation, which was coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.

Juan P. Osuna

JUAN P. OSUNA

10-23-12
DATE

APPROVE: _____

DISAPPROVE: _____

cc: Ana Kocur

Attachment: FY 2012 Quarter 4 Quarterly Status Report

Quarterly Performance Report



EOIR

FY2012

Current Quarter Score

Green

YTD Score

Green

Executive Office for Immigration Review

Measure Name	2011				2012				2013						
	Target	Actual Score	Annual Score	YTD Score	Target	Actual Score	Annual Score	YTD Score	Target	Actual Score	Annual Score	YTD Score			
Complete 85% of immigration court detained cases within 60 days	85	87.75	Green	Green	85	85	Green	Green	85	84	Green	Yellow	86.25	Green	85
Explanation: Given the DOJ hiring freeze and the lack of overall court resources, EOIR is faced with meeting its detained goal as well as addressing the burgeoning non-detained dockets. Although EOIR attempts to meet completing 85% of detained immigration court cases within 60 days each fiscal year, and the agency was successful for FY 2012.															
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.5	Green	Green	85	85	Green	Green	85	86	Green	Green	87.25	Green	85
Complete 90% of detained appeals within 150 days	90	94.25	Green	Green	90	90	Green	Green	90	97	Green	Green	97	Green	90
Immigration court matters pending															
Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years)		35,672				308,257				313,472			322,609		332,629
Number of immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)		428,321				8,360				7,547			7,757		31,468
						89,161				102,310			106,602		409,231



U.S. Department of Justice

Executive Office for Immigration Review
Office of Planning, Analysis, and Technology

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

January 16, 2013

MEMORANDUM TO: Juan P. Osuna
Director

FROM: Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2013 First Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's first quarter Government Performance and Results Act (GPRA) goals, which is due to the Department January 30, 2013.

For the first quarter of FY 2013, the agency met two of its three goals; EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 81 percent of detained immigration court cases within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanation, which was coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.



JUAN P. OSUNA

DATE

APPROVE: _____ ✓

DISAPPROVE: _____

cc: Ana Kocur

Attachment: FY 2013 Quarter 1 Quarterly Status Report

Quarterly Performance Report

EOIR

FY2013

Current Quarter Score: Green

YTD Score: Green



Executive Office for Immigration Review

Measure Name	2012				2013				2014				
	Target	Actual	Score	YTD	Target	Actual	Score	YTD	Target	Actual	Score	YTD	
Complete 85% of immigration court detained cases within 60 days	85	86.25	Green	81	85	Yellow	85	85	85	85	81	Yellow	85
Explanation:	Given the DOJ hiring freeze and lack of overall court resources, EOIR attempts to meet the detained goal while addressing the burgeoning non-detained caseload will likely continue to result in short-term fluctuations in the success rate. In addition, during this past quarter, two unusual factors affected the results: the unforeseen closure of the detained immigration court at Lancaster, CA, due to non-renewal of the detention facility contract, and the effects of Hurricane Sandy upon the detained courts in the New York area.												
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.25	Green	88	85	Green	85	85	85	85	88	Green	85
Explanation:	N/A												
Complete 90% of detained appeals within 150 days	90	97	Green	98	90	Green	90	90	90	90	98	Green	90
Explanation:	N/A												
Immigration court matters pending		332,929		330,102									330,102
Explanation:	N/A												
Number of appeals received at BIA (these are not targets, but actuals for past years and worldload estimates for future years)		31,468		8,646									8,646
Explanation:	N/A												
Number of immigration court matters received (these are not targets, but actuals for past years and worldload estimates for future years)		409,231		84,286									84,286
Explanation:	N/A												



U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

April 19, 2013

MEMORANDUM TO: Juan P. Osuna
Director

FROM: 
Amy F. Dale
Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2013 Second Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's second quarter Government Performance and Results Act (GPRA) goals, which is due to the Department April 30, 2013.


For the second quarter of FY 2013, the agency met two of its three goals; EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 80 percent of detained immigration court cases within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanation, which was coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.



JUAN P. OSUNA

4-21-13

DATE

APPROVE:  _____

DISAPPROVE: _____

cc: Ana Kocur

Attachment: FY 2013 Quarter 2 Quarterly Status Report



U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 22041

July 22, 2013


MEMORANDUM TO: Juan P. Osuna
Director

FROM: *Deborah A. Blacksten*
Deborah A. Blacksten
Acting Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2013 Third Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's third quarter Government Performance and Results Act (GPRA) goals, which is due to the Department by July 30, 2013.

For the third quarter of FY 2013, the agency met two of its three goals; EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 84 percent of detained immigration court cases within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanation, which was coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.



JUAN P. OSUNA

7-29-13
DATE

APPROVE: _____

DISAPPROVE: _____

cc: Ana Kocur

Attachment: FY 2013 Quarter 3 Quarterly Status Report

Quarterly Performance Report

EOIR

FY2013

Current Quarter Score: Green

YTD Score: Green



Executive Office for Immigration Review

Measure Name	2012				2013				2014									
	Target	Actual	Score	YTD	Target	Actual	Score	YTD	Target	Actual	Score	YTD						
Complete 85% of immigration court detained cases within 60 days	85	86.25	Green	85	85	81	Yellow	85	80	Yellow	85	84	Yellow	85	81.67	Yellow	85	
Explanation:	EOIR has taken measures to compensate for the near cessation of stipulated removal orders and rapid removal cases in the Southwest. This includes moving additional non-detained immigration judge resources to the detained dockets. While these measures take time to produce results, they are having a positive effect.																	
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.25	Green	85	85	88	Green	85	88	Green	85	85	Green	85	88	Green	85	
Explanation:	N/A.																	
Complete 90% of detained appeals within 150 days	90	97	Green	90	90	98	Green	90	98	Green	90	96	Green	90	97.33	Green	90	
Explanation:	N/A.																	
Immigration court matters pending		332,929				330,102				334,273					342,510			342,510
Explanation:	This is the number of immigration court matters pending at the end of the quarter.																	
Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years)		31,468				8,646				7,290					8,807			24,743
Explanation:	Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years).																	
Number of immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)		409,231				84,286				88,271					100,388			272,945
Explanation:	Number of immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years).																	



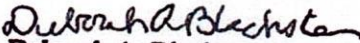
U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 20530

November 5, 2013

MEMORANDUM TO: Juan P. Osuna
Director

FROM: 
Deborah A. Blacksten
Acting Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2013 Fourth Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's fourth quarter Government Performance and Results Act (GPRA) goals, which is due to the Department by November 15, 2013.

For the fourth quarter of FY 2013, the agency met two of its three goals. EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 84 percent of detained immigration court cases within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanation, which was coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.



JUAN P. OSUNA



DATE

APPROVE:  _____

DISAPPROVE: _____

cc: Ana Kocur

Attachment: FY 2013 Quarter 4 Quarterly Status Report

Quarterly Performance Report

EOIR

FY2013

Current Quarter Score:

Green

YTD Score:

Green



Executive Office for Immigration Review

Measure Name	2012				2013				2014							
	Target	Actual	Score	Actual	Target	Actual	Score	Actual	Target	Actual	Score					
Complete 85% of Immigration court detained cases within 80 days	85	86.25	Green	85	85	81	Yellow	85	80	Yellow	85	84	Yellow	82.25	Yellow	85
Explanation:	EOIR has seen an ongoing change in the character of the caseload, with more detained matters being contested over time. In this quarter alone, detained asylum applications rose by more than 50 percent and relatively quick turnaround adjudicated removal orders dropped by 10 percent. Nevertheless, EOIR sustained the same percentage of within goal completions as last quarter, narrowly missing the goal by one percent.															
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.25	Green	85	85	88	Green	85	88	Green	85	88	Green	87.5	Green	85
Explanation:	N/A															
Complete 80% of detained appeals within 150 days	90	97	Green	90	90	98	Green	90	98	Green	90	98	Green	97.25	Green	90
Immigration court matters pending		332,829			330,102			334,273			342,510			358,164		358,164
Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years)		31,468			8,648			7,290			8,807			7,688		32,411
Number of Immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)		408,231			84,286			88,271			100,388			99,721		372,886



U.S. Department of Justice

Executive Office for Immigration Review
Office of Planning, Analysis, and Technology

3107 Leesburg Pike, Suite 2630
Falls Church, Virginia 20530

January 8, 2014

MEMORANDUM TO: Juan P. Osuna
Director

THROUGH: Ana Kocur
Deputy Director

FROM: *Deborah A. Blacksten*
Deborah A. Blacksten
Acting Assistant Director

SUBJECT: Submission for FY 2013 Annual Performance Report

The Executive Office for Immigration Review's (EOIR) submission for the Department of Justice's Annual Performance Report is due to the Department on January 13, 2014. EOIR exceeded its target concerning detained appeals in FY 2013. However, due in large part to the change in the statistical methodology now being employed by EOIR, the agency missed its two immigration court targets (Institutional Hearing Program and detained cases).

The reporting requirements for the Annual Performance Report include the following sections: definitions; data validation, verification, and limitations; discussion of FY 2013 results; and planned future performance. In addition, the Department has requested information on any program evaluations conducted in FY 2013.

The proposed submissions, which have been coordinated with BIA, OCLJ, and the Administration Division for the performance information and with OGC for the evaluation information, are attached for your review. Please provide your approval or disapproval below. If you have any questions, do not hesitate to contact me. Thank you.

Attachments

Juan P. Osuna

JUAN P. OSUNA

1-8-14
DATE

APPROVE: _____

DISAPPROVE: _____

Strategic Objective 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process

Measure Name: Percent of Institutional Hearing Program cases completed before release [EOIR]

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target	90%	85%	85%	85%	85%	85%	85%
Actual	90%	87%	88%	87%	83%	N/A	N/A

Definition: The Executive Office for Immigration Review (EOIR) has identified two types of immigration court cases (Institutional Hearing Program (IHP) and detained cases) and one type of Board of Immigration Appeals (BIA) case (detained appeals) as its priority caseload. The IHP is a collaborative effort between EOIR, the Department of Homeland Security (DHS) and various federal, state, and local corrections agencies. The IHP permits immigration judges to hold removal hearings inside correctional institutions prior to the alien completing his or her criminal sentence.

Data Validation, Verification, and Limitations: Data are collected from the Case Access System for EOIR (CASE), a nationwide case-tracking system at the trial and appellate levels. Court staff nationwide enter data, which are electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data are verified by on-line edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

At the start of FY 2012 EOIR began analyzing the need to change its external statistical reporting methodology. In October 2012, the Office of the Inspector General (OIG) issued a report that dovetailed nicely with EOIR's internal findings regarding the agency's statistical reporting on the processing of immigration cases and appeals. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been previously reported. The data for FY 2013 is calculated differently to provide clearer data that parties external to EOIR can use more efficiently.

Discussion of FY 2013 Results: As noted above, EOIR changed its statistical methodology at the start of FY 2014 to enhance transparency in its reporting and to comply with the OIG's recommendations. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of IHP cases prior to the alien's release because of circumstances beyond the control of the immigration judge (such as a Notice to Appear being filed less than four months from an alien's earliest possible release date from an IHP facility) are now included in EOIR's statistics. In order to show how EOIR would have performed if the new reporting methodology were in place at the time, EOIR calculated the FY 2013 data using the new method. This new method resulted in a report showing that EOIR missed its goal by two percent, despite the fact that EOIR exceeded its goal by three percent under the method in place during the performance period.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the immigration courts adjudicate and will continue to allocate existing resources to the

adjudication of priority cases. This includes increasing the frequency of immigration judge details to federal, state, and local correctional facilities as needed to adjudicate Institutional Hearing Program cases, often by video-teleconferencing. Further, EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic Records of Proceedings (ROPs) will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

Measure Name: Percent of detained cases completed within 60 days [EOIR]

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target	N/A	85%	85%	85%	85%	85%	80 ¹ %
Actual	N/A	89%	88%	86%	73%	N/A	N/A

Definition: EOIR has identified two types of immigration court cases (IHP and detained cases) and one type of BIA case (detained appeals) as its priority caseload. Detained aliens are those in the custody of DHS or other entities.

Data Validation, Verification, and Limitations: Data are collected from CASE, a nationwide case-tracking system at the trial and appellate levels. Court staff nationwide enter data, which are electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data are verified by on-line edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

At the start of FY 2012, EOIR began analyzing the need to change its external statistical reporting methodology. In October 2012, the OIG issued a report that dovetailed nicely with EOIR's internal findings regarding the agency's statistical reporting on the processing of immigration cases and appeals. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been previously reported. The data for FY 2013 is calculated differently in order to provide clearer data that parties external to EOIR can use more efficiently.

Discussion of FY 2013 Results: As noted above, EOIR changed its statistical methodology at the start of FY 2014 to provide clearer data that parties external to EOIR can use more efficiently as well as to comply with the OIG's recommendations. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of detained immigration court cases within 60 days because of circumstances beyond the control of the immigration judge (such as a pending background check or application adjudication at DHS) are now included in EOIR's statistics. In addition, the new methodology counts the days to complete a proceeding from the date the Notice to Appear was filed with EOIR to the date of the initial proceeding completion, excluding changes of venue and transfers. Previously, the interim completions at each court were counted from the date a

¹ From FY15 OMB submission. Measures do not align exactly, however.

proceeding was received at that court to the date it was completed at that court. Although this methodology meets EOIR's internal management needs for workload assessment and court management, EOIR determined that, for external reporting, the information should show how long a case took from receipt at the agency to initial completion at the immigration judge level.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the immigration courts adjudicate, and will continue to allocate existing resources to the adjudication of priority cases as needed and where possible. This includes the adjustment of court dockets to increase the amount of immigration judge calendar time devoted to detained cases. In addition, EOIR is taking measures to compensate for the increased complexity of the detained caseload, the near cessation of stipulated removal orders, and the cessation of rapid removal cases in the Southwest. Finally, EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic Records of Proceedings (ROPs) will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

Measure Name: Percent of detained appeals completed within 150 days [EOIR]

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target	90%	90%	90%	90%	90%	90%	90%
Actual	96%	93%	94%	97%	97%	N/A	N/A

Definition: EOIR has identified two types of immigration court cases (IHP and detained cases) and one type of BIA case (detained appeals) as its priority caseload. Detained aliens are those in the custody of DHS or other entities.

Data Validation, Verification, and Limitations: Data are collected from CASE, a nationwide case-tracking system at the trial and appellate levels. All data entered by BIA staff are stored at EOIR headquarters, which allows for timely and complete data. Data are verified by on-line edits of data fields. Headquarters staffs use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

Discussion of FY 2013 Results: The BIA continued to manage its resources carefully to ensure that it exceeded its goal of completing 90 percent of detained appeals within 150 days.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the BIA adjudicates, and will continue to allocate existing resources to the adjudication of priority cases. EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic Records of Proceedings (ROPs) will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files;

and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

**Evaluations Completed of the Executive Office for Immigration Review (EOIR)
FY 2013**

During FY 2013, the Office of Inspector General (OIG) issued recommendations of the review of the management of immigration cases and appeals by EOIR, Report Number 1-2013-001. The OIG report concluded with nine recommendations regarding data collection, staffing and continuances.

Recommendation 1 – Improve reporting of immigration court data to distinguish decisions on the removal of aliens from other case activities and reflect actual case length even when more than one court is involved.

Recommendation 2 – Eliminate case exemptions from completion goals to reflect actual case length, but identify case delays that EOIR considers outside the control of immigration judges.

Recommendation 3 – Develop immigration court case completion goals for non-detained cases.

Recommendation 4 – Analyze reasons for continuances and develop guidance that provides immigration judges with standards and guidelines for granting continuances to avoid unnecessary delays.

Recommendation 5 – Develop a process for tracking time that immigration judges spend on different types of cases and work activities.

Recommendation 6 – Collect and track data on its use of staffing details of judges.

Recommendation 7 – Develop an objective staffing model to assist in determining staffing requirements and the allocation of positions among immigration courts.

Recommendation 8 – Consider seeking additional resources or reallocation of resources to reduce delays in the processing of appeals for non-detained aliens.

Recommendation 9 – Improve its collecting, tracking, and reporting of BIA appeal statistics to accurately reflect appeal processing times.

EOIR began to implement these recommendations through the following actions.

- EOIR revised its reporting system to improve, eliminate and collect additional data to comply with the OIG's recommendations 1, 2, and 9 no later than the beginning of FY 2014.
- EOIR added additional case completion reports to comply with OIG's recommendation 3.

- **EOIR issued Operating Policies and Procedures Memorandum (OPPM) 13-01, to provide standards and guidance to judges regarding continuances, to comply with OIG's recommendation 4.**
- **EOIR continues to consider internal options for conducting studies regarding staffing and allocation.**
- **EOIR implemented a pilot project to collect and track data on judge and staff details as requested in OIG's recommendation 6.**
- **EOIR requested authorization to backfill vacancies in the Department's FY 2015 spring call to address OIG's recommendation 8 regarding the non-detained cases at the Board of Immigration Appeals, and noted process improvements to address these cases.**



U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

3107 Leesburg Pike, Suite 2630
Falls Church, Virginia 20530

January 22, 2014

MEMORANDUM TO: Juan P. Osuna
Director

THROUGH: Ana M. Kocur *Ana M. Kocur*
Deputy Director

FROM: *D.A. Blacksten*
Deborah A. Blacksten
Acting Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2014 First Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's first quarter Government Performance and Results Act (GPRA) goals, which is due to the Department by January 30, 2014.

For the fourth quarter of FY 2013, the agency met one of its three goals. EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 76 percent of detained immigration court cases within the time frame. The immigration courts also missed the goal of completing 85 percent of IHP cases before release by completing 81 percent within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanations, which were coordinated between OPAT and OCIJ, is on the attached spreadsheet. With your concurrence, I will submit this information to the Department.

Juan P. Osuna

JUAN P. OSUNA

1-22-14
DATE

APPROVE: _____ ✓

DISAPPROVE: _____

Attachment: FY 2014 Quarter 1 Quarterly Status Report

Quarterly Performance Report

EOIR

FY2014



Current Quarter Score: **Yellow**

YTD Score: **Yellow**

Executive Office for Immigration Review

Measure Name	2013				2014				2015		
	Target	Actual	Score	YTD Score	Target	Actual	Score	YTD Score	Target		
Complete 85% of Immigration court detained cases within 60 days	85	82.25	Yellow	85	85	76	Yellow	85	76	Yellow	80
Explanation:	EOIR changed its statistical methodology at the start of FY 2014 to provide clearer data that parties external to EOIR can use more efficiently as well as to comply with recommendations made by the OIG. To that end, cases that had previously been exempt from the priority case load goal of completing 85 percent of detained Immigration court cases within 60 days because of circumstances beyond the control of the Immigration Judge (such as a pending background check or application adjudication at DHS) are now included in EOIR statistics. In addition, the new methodology counts not only the days a case was pending at a given court location, but all the days to complete a proceeding from the date the Notice to Appear was filed with EOIR to the date of the initial proceeding completion, excluding changes of venue and transfers. Previously, the interim completions at each court were counted from the date a proceeding was received at that court to the date it was completed at that court.										
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.5	Green	85	85	81	Yellow	85	81	Yellow	85
Explanation:	EOIR changed its statistical methodology at the start of FY 2014 to provide clearer data that parties external to EOIR can use more efficiently as well as to comply with recommendations made by the OIG. To that end, cases that had previously been exempt from the priority case load goal of completing 85 percent of I-HP cases prior to the aliens release because of circumstances beyond the control of the Immigration Judge (such as a Notice to Appear being filed less than four months from an aliens earliest possible release date from an I-HP facility) are now included in EOIR statistics.										
Complete 90% of detained appeals within 150 days	90	97.25	Green	90	90	94	Green	90	94	Green	90
Explanation:	N/A										
Number of appeals received at BIA (these are not targets, but actuals for past years and workload estimates for future years)	32,411										7,724
Explanation:	N/A										
Number of detained Immigration court proceedings pending											17,190
Explanation:	N/A										
Number of Immigration court matters received (these are not targets, but actuals for past years and workload estimates for future years)	372,666										60,862
Explanation:	N/A										
Number of non-detained completions in less than 2 years during the quarter											11,345
Explanation:	N/A										

Number of non-detained court proceedings pending

Explanation: N/A.

340,536

340,536

Percent of non-detained proceedings completed in 2 years or less

Explanation: N/A.

48

48

Total number of non-detained completions during the quarter

Explanation: N/A.

23,779

23,779



U.S. Department of Justice

**Executive Office for Immigration Review
Office of Planning, Analysis, and Technology**

5107 Leesburg Pike, Suite 2630
Falls Church, Virginia 20530

April 22, 2014

MEMORANDUM TO: Juan P. Osuna
Director

THROUGH: *Ana M. Kocur*
Ana M. Kocur
Deputy Director

FROM: *Deborah A. Blacksten*
Deborah A. Blacksten
Acting Assistant Director
Office of Planning, Analysis, and Technology

SUBJECT: FY 2014 Second Quarter Quarterly Status Report

Attached for your review and approval is EOIR's submission to the Department of Justice regarding the agency's second quarter Government Performance and Results Act (GPRA) goals, which is due to the Department by April 30, 2014.

For the second quarter of FY 2014, the agency met one of its three goals. EOIR missed the goal of completing 85 percent of detained immigration court cases within 60 days by completing 72 percent of detained immigration court cases within the time frame. The immigration courts also missed the goal of completing 85 percent of IHP cases before release by completing 78 percent within the time frame. DOJ requires an explanation for any goals that are missed; EOIR's explanations, which were coordinated between OPAT and OCIJ, are on the attached spreadsheet. With your concurrence, I will submit this information to the Department.

Juan P. Osuna

JUAN P. OSUNA

4-24-14

DATE

APPROVE: _____

DISAPPROVE: _____

Attachment: FY 2014 Quarter 2 Quarterly Status Report

Quarterly Performance Report

EOIR

FY2014



Current Quarter Score: **Yellow**

YTD Score: **Yellow**

Executive Office for Immigration Review

Measure Name	2013				2014				2015					
	Target	Actual	Score	YTD	Target	Actual	Score	YTD	Target					
Complete 85% of immigration court detained cases within 60 days	85	82.25	Yellow	85	85	76	Yellow	85	72	85	74	Yellow	80	
Explanation:	EOIR continues to struggle to meet this goal because cases that had previously been exempt from the priority case load are now included in EOIR statistics. Such previously exempt cases are outside the control of the immigration judge, such as a pending background check or application adjudication at DHS. In addition, the new methodology, implemented in FY 2014, counts not only the days a case was pending at a given court location, but all the days to complete a case from the date the Notice to Appear was filed with EOIR to the date of the initial case completion, excluding changes of venue and transfers. Previously, the interim completions at each court were counted from the date a case was received at that court to the date it was completed at that court. This change renders the goal more challenging.													
Complete 85% of Institutional Hearing Program cases prior to release from incarceration	85	87.5	Green	85	81	85	Yellow	85	78	85	85	Yellow	85	
Explanation:	EOIR continues to work toward meeting its goal now that its methodology does not exempt cases from its priority case load. Cases that previously had been exempt are those with circumstances outside of the control of the immigration judge (such as a Notice to Appear being filed less than four months from an alien earliest possible release date from an I-P facility).													
Complete 90% of detained appeals within 160 days	90	97.25	Green	90	94	90	Green	90	85	90	94	Green	90	
Explanation:	N/A													
Number of appeals received at BIA (these are not targets, but actuals for past years and worldload estimates for future years)			32,411			7,724			7,051			14,775		
Explanation:	N/A													
Number of detained immigration court proceedings pending						17,190			17,035			17,035		
Explanation:	N/A													
Number of immigration court matters received (these are not targets, but actuals for past years and worldload estimates for future years)			372,666			60,862			67,108			127,970		
Explanation:	N/A													
Number of non-detained completions in less than 2 years during the quarter						11,345			14,075			25,420		
Explanation:	N/A													

