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Federal Court Blocks Significant Pieces of Administration’s Sweeping Immigration Appeals Rule That Eliminates Meaningful Judicial Review

Order Halts Implementation of Dangerous Steps that Would Have Dismantled Safeguards at the Board of Immigration Appeals

Washington, D.C. — The U.S. District Court for the District of Columbia issued an order late last night in *Amica Center for Immigrant Rights et al. v. Executive Office for Immigration Review et al.*, blocking significant pieces of the Trump-Vance administration’s new policy that sought to eliminate meaningful appellate review before the Board of Immigration Appeals (BIA).

Plaintiffs in the case include Amica Center for Immigrant Rights, Brooklyn Defender Services, Florence Immigrant & Refugee Rights Project, HIAS, and National Immigrant Justice Center. Democracy Forward, the American Immigration Council, and National Immigrant Justice Center represent the plaintiffs.

The [lawsuit](#) and motion for [preliminary relief](#) challenge the February 6, 2026, Interim Final Rule (IFR), “*Appellate Procedures for the Board of Immigration Appeals*,” which was set to take effect today, March 9, 2026. The IFR would have imposed sweeping changes that would have eviscerated noncitizens’ right to appeal decisions in their immigration cases that have now been blocked, including:

- Reduce the time to file most appeals from 30 days to 10 days;
- Require summary dismissal of appeals unless a majority of permanent BIA members vote within 10 days to accept the case for review; and
- Permit dismissal decisions before transcripts are created or records are transmitted.

“At a time when the due process rights of immigrants are under attack, this ruling prevents the BIA from reaching the point of near self-destruction,” said **Emilie Raber, Senior Attorney at the Amica Center for Immigrant Rights**. “We hope that this decision is the first step of many steps in ensuring that immigration courts reach decisions based on the law rather than on pre-determined outcomes.”

“Today’s ruling preserves a vital avenue for judicial review in removal proceedings,” said **Lucas Marquez, Director of Civil Rights & Law Reform at Brooklyn Defender Services**, “And reminds government agencies to follow proper procedures when attempting to make sweeping changes to regulations.

“This ruling keeps in place a basic, yet critical, protection for immigrants facing removal: the ability to appeal their case,” said **Laura St. John, Legal Director at the Florence Immigrant & Refugee Rights Project**. “As the administration continues to try to deport as many people as they can quickly and often without a fair day in court, it is critical for everyone to have the opportunity to file an appeal. Without this decision, countless immigrants with valid claims would have been hurriedly deported to dangerous conditions, forsaking due process for efficiency.”

“Today, the court has again held the federal government to its foundational responsibility to afford basic fairness and due process to all whose rights it seeks to curtail,” said **Stephen Brown, Director of Immigration Legal Services at HIAS**. “We are grateful to our counsel in this case, and proud to stand with our co-plaintiffs to work for a fair immigration system.”

“Today’s ruling is an important win in the face of an administration that is intent on dismantling our immigration system at any cost, including betraying our country’s shared values of the importance of due process and access to counsel,” said **Mary Georgevich, Senior Litigation Attorney at the National Immigrant Justice Center**. “While imperfect, the Board of Immigration Appeals is the body that Congress has mandated to review deportation orders when the immigration courts get it wrong. Allowing the Trump administration’s reckless proposal to block immigrants from a fair opportunity for review of bad decisions would have resulted in people being returned to danger and families unjustly separated, all to serve a racist mass deportation agenda. We are grateful the court seemed to see this proposed rule for what it was and is ruling to uphold both due process and rule of law.”

“Today’s decision makes it clear that the Trump-Vance administration cannot play games with the immigration appeals system to eliminate basic due process and fast-track deportations,” said **Erez Reuveni, Senior Counsel at Democracy Forward, who presented the oral argument**. “Once again, no matter how hard this administration tries to hide its cruel and unlawful actions behind an ‘immigration policy,’ a federal court has made clear that the government must follow the law and cannot strip people of their basic rights. This is another demonstration that litigation is powerful. We will continue representing our plaintiffs in court to defend their rights and hold this administration accountable.”

“This order protects a critical safeguard in our immigration system: the ability to appeal a court decision,” said **Suchita Mathur, Senior Litigation Attorney at the American Immigration Council**. “This rule would have led to the rushed deportations of untold people before their cases could even be properly reviewed. Today’s decision helps protect basic fairness in our immigration courts.”

The IFR was issued without the required notice-and-comment rulemaking period and fundamentally restructures appellate review in removal proceedings. By requiring summary dismissal unless the full Board acts within 10 days — before transcripts are created — the rule makes meaningful review functionally impossible in most cases.

The legal team at Democracy Forward includes Erez Reuveni, Allyson Scher, Catherine Carroll, and Robin Thurston. Counsel at American Immigration Council include Michelle Lapointe and Suchi Mathur.

Read the order [here](#).
