

# FY2024 EOIR Immigration Court Data: Caseloads and the Pending Cases Backlog

January 24, 2025

U.S. immigration courts within the Department of Justice’s Executive Office for Immigration Review (EOIR) preside over immigration hearings; most commonly, removal proceedings for foreign nationals who have been charged by the Department of Homeland Security (DHS) with immigration violations. Immigration courts [have experienced growing backlogs for several years](#). In recent years, a large volume of [enforcement encounters at the Southwest border](#) contributed to EOIR’s caseload. During each of the last three years, EOIR’s new annual case receipts have reached record levels.

In FY2024, EOIR received nearly 1.8 million new cases. Even as EOIR has hired more immigration judges (IJs), the backlog has continued to grow, reaching 3.6 million cases at the end of FY2024. Many of those in removal proceedings have filed applications for asylum as a defense against removal. Defensive asylum applications are adjudicated by IJs during removal proceedings. EOIR received 850,720 defensive asylum applications at the end of FY2024, with 1.5 million applications pending in the courts.

This CRS Insight provides an overview of FY2024 EOIR data, including numbers of new cases received, asylum applications filed, IJ staffing, case completions, and pending cases.

## Overview: Removal Proceedings in Immigration Courts

[Immigration court hearings](#) include removal proceedings, which represent nearly all of EOIR’s pending caseload. Foreign nationals who are present in the United States, seeking admission at a U.S. port of entry without authorization, or cross into the U.S. between ports of entry may be subject to removal (deportation) from the country. DHS may charge any non-U.S. citizen (alien) with grounds of [deportability](#) and [inadmissibility](#) and place them in [formal removal proceedings](#) in immigration court.

Certain arriving or recently arrived migrants may be subject to [expedited removal](#) and may be removed without a formal hearing. However, the law provides individuals in expedited removal an opportunity to seek asylum in immigration court if they claim an intent to apply for asylum or a fear of persecution or torture if removed and they demonstrate a [credible fear of persecution](#) in a screening with a U.S. Citizenship and Immigration Services (USCIS) asylum officer. In other cases, migrants may be placed directly into formal removal at DHS’s discretion. Immigration courts have jurisdiction over a case once DHS issues an individual a [Notice to Appear \(NTA\) charging document](#) and files it with EOIR.

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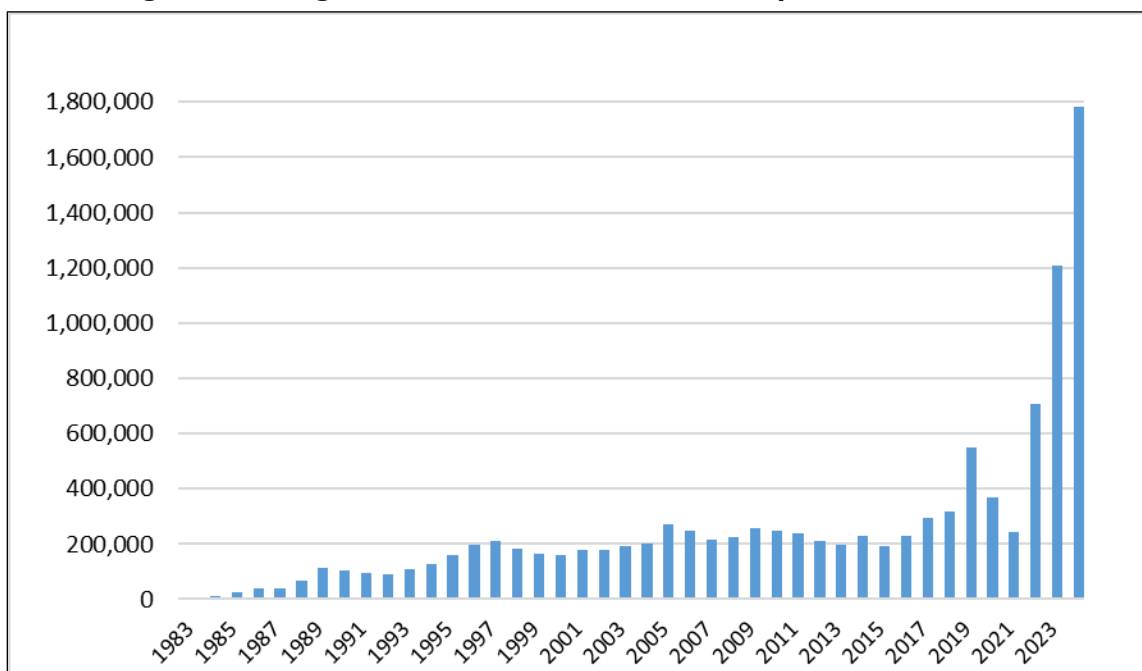
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## New Case Receipts: FY1983-FY2024

Since EOIR was established in 1983, immigration courts' caseloads have generally increased. However, annual case receipts have increased more significantly since FY2019, with the exception of FY2020 and FY2021 during the COVID-19 pandemic (**Figure 1**). The level of annual case receipts during the last three years, including nearly 1.8 million NTAs filed by DHS in FY2024, are unprecedented in EOIR's 41-year history, reflecting record-high levels of [enforcement encounters](#) at the Southwest border.

Notably, [case receipts declined in the last two quarters of FY2024](#), likely reflecting policy changes under a [rule that limits asylum eligibility](#) for migrants encountered at the Southwest border. [That rule has resulted in a larger proportion of encountered migrants being processed for expedited removal](#).

**Figure 1. Immigration Courts Annual Case Receipts, FY1983-FY2024**



**Source:** EOIR, "New Cases and Total Completions – Historical," Adjudication Statistics, October 10, 2024.

**Notes:** Includes removal, deportation, exclusions, asylum-only, and withholding-only cases. For more information on hearing types, see CRS Report R47077, *U.S. Immigration Courts and the Pending Cases Backlog*, Table 1.

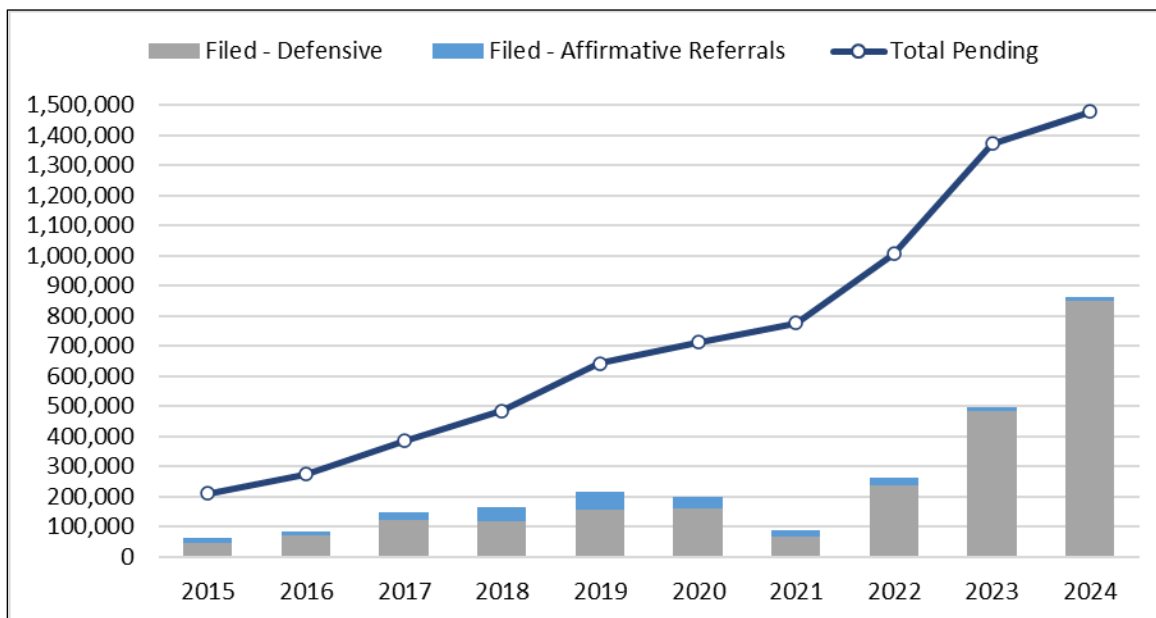
## Asylum Applications in Immigration Courts

Individuals may [apply for asylum](#) as a form of relief from removal during their proceedings in immigration court (*defensive asylum*). Annual defensive asylum applications have increased every year since FY2018, with the exception of FY2021 during the COVID-19 pandemic (**Figure 2**). Defensive asylum applications have more than doubled each year since FY2022 (238,594) and reached 850,720 in FY2024.

Foreign nationals who are physically present in the United States and are not in removal proceedings may apply for [affirmative asylum](#) with USCIS regardless of their immigration status. If a USCIS asylum officer determines that an applicant is ineligible for asylum and [appears to be inadmissible or deportable](#), they will refer the application to EOIR. Therefore, EOIR's asylum caseload includes both defensive asylum applications filed in immigration court and affirmative referrals.

In total, 1,478,623 asylum applications were pending in immigration courts at the end of FY2024.

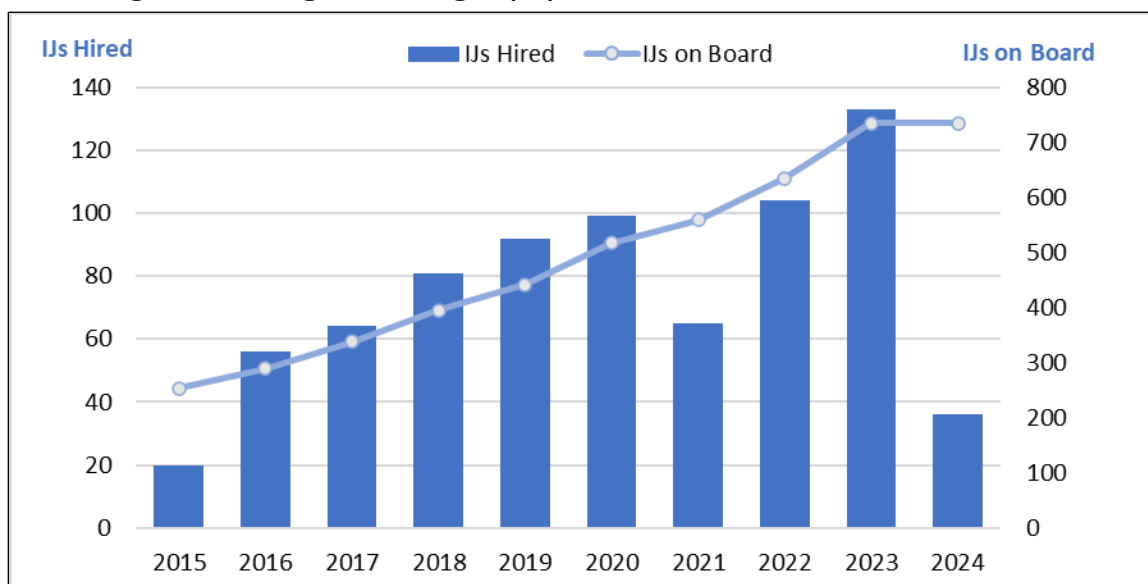
**Figure 2. Asylum Applications Filed and Pending with EOIR, FY2015-FY2024**



Source: EOIR, "Total Asylum Applications," October 10, 2024.

## Immigration Judges and Courtrooms

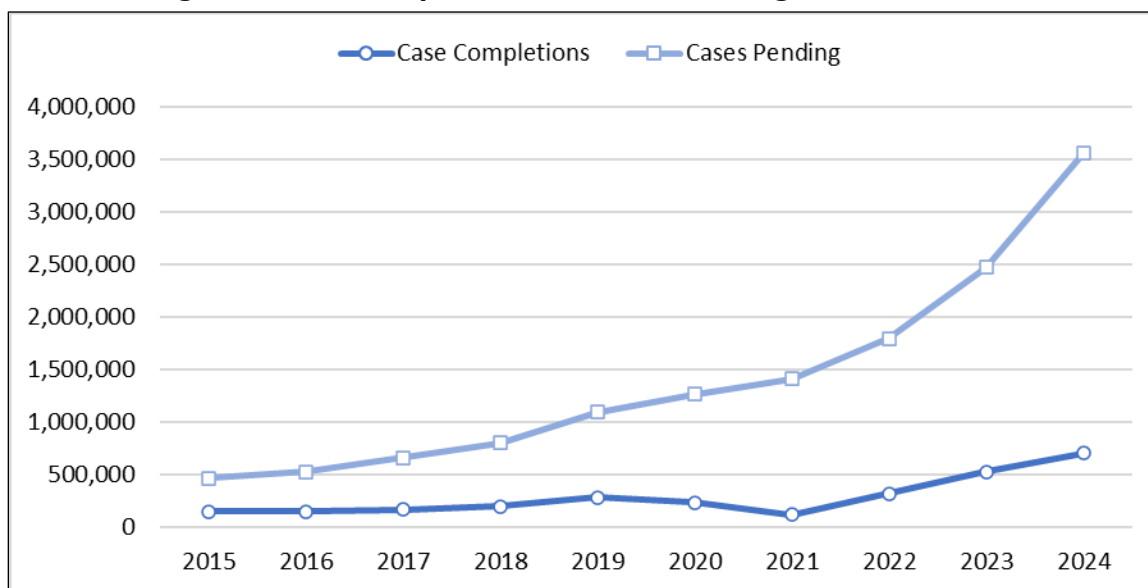
EOIR prioritized IJ hiring and courtroom expansion in recent years as measures to address its large backlog of pending cases. During the last five fiscal years, EOIR hired 437 new judges. The number of IJs on staff has nearly tripled over the last decade, from 254 at the end of FY2015 to 735 at the end of FY2024 (**Figure 3**). [The agency has indicated](#) that this is the maximum number of IJs supported under current funding levels. The number of EOIR's [courtrooms](#) increased from 336 at the end of CY2015 to 642 in FY2024.

**Figure 3. Immigration Judges (IJs) Hired and on Board, FY2015-FY2024**

**Source:** EOIR, “Immigration Judge (IJ) Hiring,” Adjudication Statistics, October 2024.

## Case Completions and the Pending Cases Backlog

Despite increased staffing, IJs were unable to complete enough cases to counter the growth in new cases EOIR received in FY2024 (**Figure 4**). In FY2024, IJs completed 701,749 cases, the largest number in the agency’s history, with an average of 58,479 cases completed per month (by comparison, EOIR received an average of 148,663 new cases per month during this same time). EOIR’s case completions data include both initial case completions (IJs’ first dispositive decisions) and subsequent case completions (e.g., a respondent files a [motion to reconsider or reopen a case](#) after the initial completion). At the end of FY2024, EOIR had 3,558,995 pending cases.

**Figure 4. Case Completions and Cases Pending, FY2009-FY2023**

**Source:** EOIR, “Pending Cases, New Cases, and Total Completions,” Adjudication Statistics, October 10, 2024.

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