



For Immediate Release

July 1, 2016

For press inquiries, contact:

Wendy Feliz, American Immigration Council, [202-507-7524](tel:202-507-7524), wfeliz@immcouncil.org

Matt Adams, Northwest Immigrant Rights Project, [206-957-8611](tel:206-957-8611), matt@nwirp.org

Vicky Dobrin or Hilary Han, Dobrin & Han, PC, [206-448-3440](tel:206-448-3440), vicky@dobrin-han.com

Asylum Seekers File Class Action Lawsuit Against DHS Over One-Year Filing Deadline

Washington D.C. - The U.S. Government has placed unnecessary hurdles in front of asylum seekers who are attempting to file asylum applications within the required time period. In fact, bureaucratic obstacles, a well-documented court backlog, and jurisdictional disputes between agencies often make it impossible for individuals to file their asylum applications by the deadline, leaving them ineligible for asylum and subject to deportation.

In an attempt to bring order and fairness to what has become an overly bureaucratic and chaotic process, today, 4 asylum-seekers filed a class action [lawsuit](#) challenging the Department of Homeland Security's (DHS) failure to advise them of the deadline for filing their asylum applications, as well as both DHS's and the immigration courts' failure to adopt procedures which would ensure that an individual is able to file an asylum application by the deadline.

Plaintiffs, represented by the American Immigration Council, Northwest Immigrant Rights Project, Dobrin & Han, PC, and the National Immigration Project of the National Lawyers Guild, sue on behalf of themselves and all other individuals in the United States who are in the same situation.

The immigration statute imposes a one-year deadline within which an asylum seeker must apply for asylum. With very limited exceptions, an individual who misses this deadline becomes ineligible for asylum. Despite these dire consequences, DHS agents and officers do not notify asylum-seekers of the one-year deadline for filing. Additionally, neither DHS nor the immigration courts have adopted procedures to ensure that an individual is able to file an asylum application within one year. Many applicants and their attorneys take extraordinary steps to attempt to file, but even then have no guarantee that DHS or the immigration will find that the deadline was met.

National Immigration Project of the National Lawyers Guild

14 Beacon Street, Suite 602, Boston, MA 02108

Phone: 617-227-9727 · Fax: 617-227-5495 · nipnlg.org · [@nipnlg](https://www.facebook.com/nipnlg)

“It is inexcusable that DHS and EOIR—fully aware that their own case backlogs and bureaucratic stumbling blocks prevent many asylum-seekers from filing on time—have not adopted national, uniform procedures to remedy the situation,” said Mary Kenney, Senior Attorney with the American Immigration Council.

“In many cases, trying to comply with the one-year filing deadline is nothing but a wild-goose chase; timely filing an asylum application in open court is simply impossible when court hearings are routinely scheduled a year or more after the person's arrival,” explained Trina Realmuto, Litigation Director of the National Immigration Project of the National Lawyers Guild.

“Our Constitution and immigration laws require a fair process,” said Matt Adams, Legal Director for Northwest Immigrant Rights Project. “The government must make the rules clear, ensuring that those who qualify for asylum have a genuine opportunity to apply.”

“The United States must continue to be a place of refuge for those fleeing harm in their home countries,” said Hilary Han, a partner at Dobrin & Han, PC. “The government has failed to honor our obligation to genuine asylum seekers by making it extremely difficult, if not impossible, for them to file their asylum applications in a timely manner.”

- **The complaint can be viewed [here](#).**

###