



How One Rabbi Spoke Truth to Power in Immigration Court January 2026/Shevat 5786 | Rabbi Michael Meyerstein

I last appeared before a judge forty years ago when I tried fighting an “unjust” speeding ticket. That didn’t go so well. As they say, “He who represents himself has a fool for a client.” My takeaway: pay the fine and don’t add insult to injury by paying court costs too!

In the waning days of this past Ellul, I had already stood before three different judges, but I was not in traffic court. This time I was in immigration court. No, not as an attorney. Certainly, and thankfully, not as a respondent, i.e., a foreign-born person, the subject of removal (deportation) proceedings, and charged by the Department of Homeland Security (DHS) with violating U.S. immigration law.

No, I stood as a privileged white American naturalized citizen. I stood as an online-trained ABA court observer to monitor and document immigration court Master Calendar Hearings. It was my one small way of holding America’s court system accountable. I stood as a rabbi distressed by today’s troubling headlines and disturbing images regarding our government’s treatment of illegal immigrants. I stood as a fellow human filled with empathy for those who bravely traversed perilous terrains, with children in tow, to reach the fabled, promised land of freedom, safety, and opportunity.

Some of the respondents I heard had been bounced around the courts since 2013. Each appearance is fraught with fear, trembling, and angst about their fate. After all, a courtroom setting, in and of itself, can be daunting and foreboding. I sat just ten feet from these modestly dressed respondents who stared nervously at the judge, or appeared via WEBEX. I likened them to us Jews on Yom Kippur as we ponder God’s judgement. Will it be a decree of life or death, prosperity or hardship?

I quietly imagined these frightened immigrants reciting their own personalized version of our millennium-old *unetaneh tokef* prayer. “Who shall live freely in America AND Who shall be forcibly (or by self-removal) shipped to countries already rife with political persecution?” “Who shall remain united with loved ones AND Who shall rot in a rat-infested jail cell?” “Who shall realize their fondest dreams AND Who shall return to a land where opportunity is harvested only by the elite?” “Who shall have access to Costco’s abundances AND Who shall barely survive on crumbs?” “Who shall leave the courtroom with renewed hope AND who shall leave hopeless?” “Who shall be lucky to get another deportation delay AND Who shall be unlucky to receive notice of final removal from the US.?”

A fifty-ish year-old woman from Central America appeared without counsel, because she couldn't afford one. US law stipulates she's entitled to one, but at her own expense. ICE agents came to her door looking for someone who did not live in the house. Seeing the opportunity to meet their day's quota, they asked for papers she did not have. They hauled her away. Now, wearing an ankle monitor as a flight risk, she told the judge in broken English, in a barely audible, trembling voice: "I have lived here for 20 years. I have a family, a job. I'm not a terrorist." The judge gave her another 60 days to find a lawyer, pro-bono or not. Or else.

A young woman wants to self-deport. The judge, surprised, offered her more time to file papers attesting to her recent marriage to a US citizen (possible grounds for relief from removal). She replied: "I already have tickets to fly back next week. I fear ICE agents may apprehend me outside this courtroom."

The stories are heartbreaking. Only those wielding the gavel, with a heart of Pharoah, would be untouched by the human tragedies revealed in these chilling stories.

Each day I listened intently while feverishly recording the courtroom's verbal exchanges. I reminded myself I'm here to assure a transparent and fair justice system. But, deep-down inside, I wondered if my modest contribution mattered?

Suddenly, on that first day in court, a thought struck me. The ABA strictly forbids observers from interacting with anyone in the courtroom during hearings. What about after the last case is heard?

I slowly stood up behind the railing as the room emptied. Seeing me, the judge asked, "Do you wish to say something, sir?" "Yes, your honor. May I first compliment your Honor on today's hearings?" Appearing a little stunned by this uncommon question. "Go ahead." I proceeded to compliment her integrity, empathic exchange with the respondents, and fair-minded decisions. I paused. "With your honor's permission, I'd like to provide personal context to my appearance today. I am in my 80s, a child of Holocaust survivors. In the late 1930s, my German-born grandparents applied for a U.S. visa for asylum. They were denied. They were subsequently murdered by the Nazis."

Silence. You could hear a pin drop. The judge, placing her hand over her heart, then replied: "I am truly sorry for your loss. *Now I understand why you are here.*"

Fleetingly, I felt as if I had spoken truth to power. Will that judge remember my words? I can only hope so, for the sake of future respondents who stand before her.

Since then, I pray that the Almighty above judge us mercifully, both individually and collectively as Jews. But I also pray that God's abounding mercy will soften the hearts of

immigration judges across this land, and lead them to compassionately answer the fervent prayers of the strangers in our midst.