**SR 958-32: Research Design and Methodology I**

**(Fall 2024, Subterm A)**

**Assignment No.3**

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**Assignment #3: Instructor Assignment Essay**

Answer the following questions in an essay format, with 1-2 fully developed paragraphs for each question. Include citations/references from your Developmental Reading log.

Review the OGS PhD/DPhil Prospectus Tutorial. You will develop your prospectus in a later course.

1. Research design depends on the problem and purpose statement alignment, research questions, hypotheses, sampling, instrumentation, and data analysis. Why is the alignment of these elements so important in quality research?
2. A problem statement should guide the design and alignment of a research topic. For example, The problem is [state the problem concisely] among [name your participants clearly] in a [state the scope/delimitation/boundary of your study]. The problem must state a problem and how it affects the target population. Compose a problem statement relevant to your prospective dissertation topic.
3. A purpose statement should clearly align with the problem statement and research questions. Use the verb "explore" for qualitative designs and "examine" for quantitative designs. Be sure to use this formulation: The purpose of this [methodology] [design] study is to [explore/examine] [the problem] among [participants] in [location/context]. Compose a purpose statement relevant to your prospective dissertation topic.
4. Research questions should be written so as not to have a "Yes" or "No" answer. Use words like "How" and "What" to be sure they are sufficiently broad. For example, What/How do [participants] [perceive/express] [construct] regarding [the [problem] in [location/context]? Compose at least two properly formatted Research Questions.
5. Based on your problem and purpose statements and proposed research questions, which methodology and design would be most appropriate for your dissertation? Why? Justify your design with citations from credible sources such as Creswell.

Include a title page, well-developed introduction and conclusion paragraphs, a references page, and in-text APA-formatted citations to support your responses.

**Introduction**

Modern research essays, thesis and dissertation demand well written proposal, prospectus and plan which consist of Research design, and Research methodology. The research design in this essay is a plan designed to answer the research questions. The research methodology is the set of principles and strategies used to implement that plan. Research design and methodology are practicable as functional strategies. They may be different in their approach but collectively applicable, because good research design ensures that the data obtained in this study helps in answering the research questions more effectively. Birks and Mills (2011, p. 4) define methodology as “a set of principles and ideas that inform the design of a research study." Meanwhile, methods are “practical procedures used to generate and analyze data Bouchrika, I. (2024). Research design, methodology and methods tend to exhibit the characteristic features in triangulation strategy application: i) they are comparative, ii) can be integrated iii) and can be interpreted in qualitative and quantitative data analysis.

The focus of this essaywill be on the US Asylum seekers and the backlogs of cases in their millions (Welch, Cressey, 2024; Shah, 2024), as long as four to ten years pending in the US courts. To determine how main types of asylum cases are: i) the defensive cases (migrants already in removal proceedings and must defend themselves from deportation in immigration court, ii) and the affirmative court cases (migrants who are not yet in removal proceedings). In 1996, Congress passed a sweeping immigration detention law that categorically requires authorities to take into custody in removal proceedings non-citizens who have any of a wide range of past convictions. More than sixteen years later, courts continue to grapple with the limits of mandatory detention (Anielo, 2014), and a range of strategic plans and options are required to determine feasible and sustainable solutions.

**1) Research design depends on the problem and purpose statement alignment**, research questions, hypotheses, sampling, instrumentation, and data analysis. Why is the alignment of these elements so important in quality research?

It is pertinent to suggest that quality research design is contingent on well-prepared problem and purpose statements, research questions, hypotheses, sampling, instrumentation, and data analysis. It is critical for quality research because it ensures a rational and interconnected study where each element directly provides some answers to the fundamental or central research question in the backlogs of US asylum cases leading to dependable and requisite findings. Stakeholders are most likely to watch out for key factors like:

* Authenticity and the logical flow, gainful, reasonable sequences (Brown, 2022), from start to finish.
* Appropriate lines of methodological designs are required to address the issues, hypothesis and assumptions.
* Attention to relevant data sampling, instrumentation, and data analysis should respond to the study's goals and objectives, preventing irrelevant data and information. It is credible to have a valid and feasible research dissertation (Durdella, & Durdella, 2017) to achieve the target outcomes of the study. The goal of this research is to solve problems of delays in the US Justice systems on asylum seekers by “applying scientific methods to collect and analyze data to find the best possible solutions” (Kadasah, et. el., 2022, p.1, para. 2). Kadash and Tracy may present slightly different approach in qualitative research, they seem to share the commonality of “quality research outcomes.”

**2) A problem statement should guide the design and alignment of a research topic**. For example, the problem is [state the problem concisely] among [name your participants clearly] in a [state the scope/delimitation/boundary of your study]. The problem must actually state a problem and how it affects the target population. Compose a problem statement relevant to your prospective dissertation topic.

The problem is there are backlogs of unadjudicated asylum seekers mainly among Asians Central and Latin Americans at the US border crossings (in Sandiego, California, El Passo and Laredo in Texas) awaiting court appearances upward of four years. This creates constraints in these city’s budgetary resources, and the US court systems in the counties.

“We cannot be confident that asylum seekers are receiving due process in our asylum offices (Welch & Cressey, 2024). Abstract and Introduction.

**The asylum court systems** in the US border towns are endemic, they create log jams of “systemic failures in the broader immigration systems. Including the department of homeland security, DHS failures to establish and adhere to enforcement priorities and to exercise prosecutorial discretion (PD) throughout the removal adjudication process, including initial decisions to prosecute them (Kerwin & Millet, 2022, para. 3). These backlogs also affect employers seeking to hire certain non-citizens, creating an inability to conduct long-term planning, lack of permanency to their work authorization, shrinks the labor pool from U.S. employers (Shah, 2024, para. 3) .

**Average Initial Receipts and Total Completions per Month, Fiscal Years 2015–2022.**

**Table 2.1**

**Table 2.1 is culled from Source: EOIR (2023c).**

* This table actually shows about 70% to 100% between received and adjudicated cases respectively.
* It is obvious, there are disparities and backlogs of cases carried forward 2015 to 2022. Thereby creating a backlog of pending cases as much as 1.8 million unheard or defensive asylum cases.

**Average Initial Receipts and Total Completions per Month, Fiscal Years 2015–2022 Table 2.2**

|  |
| --- |
| **Table 2.2 Source**: The number of pending cases between FY 2008 and 2022 come from EOIR  (2023 and before 2008 from TRAC (2023).* **Table 2.1 s**hows the exponential rise in migrant pending cases, from 100K migrants in 1998, to about 500K in 2015 (500% increase in 17 yrs). And about 1.8 million migrant cases in 2022 (350% to 400% rise in another 10 yrs).
 |

 **EOIR**: Executive Office for Immigration Review: backlog has grown due to an increase in new cases from DHS, which has outpaced the agency's ability to complete cases. **TRAC**, the Transactional Records Access Clearinghouse, a nonpartisan, nonprofit organization collects and shares data on the immigration process and other federal government functions. TRAC's data is often used in news articles, legal and scholarly publications, and by government officials.

**3) A purpose statement should clearly align with the problem statement and research questions.** Use the verb "explore" for qualitative designs and "examine" for quantitative designs. Be sure to use this formulation: The purpose of this [methodology] [design] study is to [explore/examine] [the problem] among [participants] in [location/context]. Compose a purpose statement relevant to your prospective dissertation topic. Research questions should be written so as not to have a "Yes" or "No" answer.

The purpose of this research design study is to examine the root causes of the backlogs of court cases on asylum seeker-migrants at the US borders (in Sandiego, El Passo and Laredo), to explore ways and means to accelerate court hearings, through the increase in asylum judges, and physical and mobile courts’ infrastructures, and collaboration with foreign governments over legal deportations to stem the flow of migrants in the first place.

**Case and respondent characteristics stratified by judge (observation level) Table 3.1**

|  | **Judge Option 1 (%)** | **Judge Option 2 (%)** | **Judge Option 3 (%)** |
| --- | --- | --- | --- |
|  | (n = 124) | (n = 123) | (n = 54) |
| Representation |  |  |  |
| Pro se (no attorney) | 33.06 | 31.71 | 35.19 |
| Attorney appeared in person | 61.29 | 60.16 | 57.41 |
| Attorney appeared by phone | 5.65 | 8.13 | 7.41 |
| Hearing type |  |  |  |
|  Master calendar | 38.71 | 27.64 | 18.52 |
|  Bond | 36.29 | 35.77 | 35.19 |
|  Combined master/bond | 16.13 | 30.08 | 37.04 |
|  Unknown | 8.87 | 6.50 | 9.26 |
| Interpreter used | 57.26 | 60.16 | 61.11 |

**Table 3.1** is culled from Journal of the American Bar Foundation /(Levesque, et al., 2022).

The table details corroborate the American Bar Association’s assertions, observations, and analysis. In an average of about 30% of asylum cases there are no attorneys. Attorney appearance ought to be about 70% to 75% in combined hybrid or mostly mobile, or virtual

representations.

“To the American Bar Association (ABA) (2019, 15), the US immigration court system is “irredeemably dysfunctional and on the brink of collapse.” At root of the court’s insolvency is its inability to promise fair and unbiased treatment for non-citizens, a lack of judicial independence that fails to safeguard against political interference in immigration law, an under-resourced and overworked staff, and a backlog of immigration-related cases surpassing 1.6 million in 2021 (TRAC 2022). This backlog has more than quadrupled in the past decade, signaling the court system’s inability to keep pace with heightened immigration enforcement and maintain legitimacy in the realm of American jurisprudence (Esthimer 2019).” (Levesque, et al., 2022, para 6). Introduction.

**4) Research questions should be written so as not to have a "Yes" or "No" answer**. Use words like "How" and "What" to be sure they are sufficiently broad. For example, What/How do [participants] [perceive/express] [construct] regarding [the [problem] in [location/context]? Compose at least two properly formatted Research Questions. For example, What/How do [participants] [perceive/express] [construct] regarding [the [problem] in [location/context]? Compose at least two properly formatted Research Questions.

 The question is, Giving the nature of complexities and backlogs in the migrant asylum court systems, what can the American Bar Association and Congress do as partners, to collaborate to navigate most crucial constitutional technicalities, to address and navigate the issues surrounding the refugee-judicial crisis 2024?

Series of landmark cases show the US Constitution about immigration laws and asylum-seeking rights are vague. It is no surprise that the US Supreme court has opened ended latitude and landscape to interpret the laws as they so will and choose. “In its 2024 decision in Dept. of State v. Muñoz, the Supreme Court ruled that a U.S. citizen lacks a constitutionally protected liberty interest in her noncitizen spouse’s admission into the United States. Justice Barrett, writing for five members of the majority, explained that the Fifth Amendment’s Due Process Clause provides heightened protection against government interference with certain fundamental rights and liberty interests.Nonetheless, the Court determined that a U.S. citizens asserted right to have her noncitizen spouse admitted into the United States so that he could reside with her did not qualify as a fundamental liberty interest.” (Constitution Annotated, 2024, para. 6). The asylum complex situation (Ward & Batalova, 2023; Welch & Cressey, 2024) require aggressive (persistent) political and legal interventions from a broad spectrum of stakeholders.

**5) Based on your problem and purpose statements and proposed research questions**, which methodology and design would be most appropriate for your dissertation? Why? Justify your design with citations from credible sources such as Creswell.

Without doubt, either or a mixed-method of the qualitative and quantitative research are feasible depending on the study research infrastructural development required in the thesis or dissertation. To many, ”Good qualitative research requires considerations of reflexive intersectionality, a term coined by a black feminist, Kimberle Crenshaw, as lens for understanding cumulative ways and different aspects of intersect to create experiences in the world (Tracy, 2024, p.3). Figure 1.1. Tracy further stresses the interdisciplinary, intersectionality that arises from three core areas of qualitative research, namely self-reflexivity (self-experiences), context (framework, perspectives), and thick description (self-immersing investigation) (p. 2- 4).

In essence, apart form the research design, methodology and methods interchangeably used, a mix of quantitative and qualitative research methodology and methods involving the use of observations, surveys, charts, graphical illustrations will be applicable. In some cases, the study on a broader scale will demand the use of migrant’s population summations, standard deviations of policy shifts (Kadasah et al., 2022), from the dictates of the US constitution, freedom of movement and access to fast track adjudications.

**Some areas requiring prompt Legal Interventions**

1. **Twilight Migrant Status** (limited without green card but can work): In recent years,

there has been a rapidly growing number of migrants who hold or arrive through some kind of liminal legal status that may offer protection from deportation and the right to work but does not lead to a green card.

1. **The Controversial DACA status**: DACA is: Deferred Action for Childhood Arrivals (DACA). DACA protects eligible immigrants who came to the United States when they were children from deportation. DACA gives undocumented immigrants: 1) protection from deportation, and 2) a work permit. USCIS reports that 544,700 individuals were actively enrolled in DACA as of September 30, 2023.

The top states of residence for active DACA participants are California (28 percent), Texas (17 percent), and Illinois (5 percent), followed by New York, Florida, North Carolina, and Arizona (about 4 percent each).

**Annual Refugee Resettlement Ceiling and Number of Refugees Admitted to the United States, FY 1980-2023\* Figure 5.2**



* Table 5.2 is culled from US DHS and HHS. Proposed Admissions for Fiscal Year, Migration Policy Institute (MPI) analysis of State Department’s Worldwide Refugee Admissions Processing System (WRAPS).
* Table 5.2 shows that the annual ceiling for refugees may have risen, and the number of admitted refugees has fallen. This does not reflect any considerable reduction in the asylum seekers’ court cases which are astronomical backlogs.

**Conclusion**

The interchangeability, mix of application of research design, methodology and methods are seen to exemplify the new trends in research study, thesis, and dissertation writing (Durdella & Durdella, 2017), moving away from the early, classical statistics of the past which lacked the mixed statistics. Their principles and approach may differ, their applicability tends to overlap in qualitative and quantitative statistical analysis. This study shows that the several complex issues of asylum immigration and the endemic backlogs of unheard court cases which were about 200K in the 90s are now about two million in the US (Table 2.2, pg. 7). It is therefore imperative to work with qualitative (the inductive, bottom-up approach, collecting and analyzing data without preconceived categories or theories, more exploratory and open-ended. This is aligned to quantitative precepts (the deductive, the top-down approach, analysis which begins with a theoretical framework and tests hypotheses. The US immigration, especially the asylum court systems, are broken (Jason, 2015; Linus, 2021) due to excessive politicization in policies by both parties. Moreover, there is lack of adequate resources in manpower, logistics, overburdened justice systems, fewer judges and courts to handle the exponential growth in asylum cases. This study research shows that the American Bar Association must engage in legal and social advocacy to accelerate a bi-partisan vote in the senate and house (Angélica, 2016) to address the asylum legal ramifications. The US must maintain its financial, military and legal aid to Venezuela, Argentina, Peru, Mexico and Caribbean nations to enable them address illegal migration, and to create massive industrialization and job opportunities and growth for its citizens. El Salvador government solidly implements the option of clamping down on notorious, brutal gangs like the MS13, and drug cartels off the streets. Their citizens outside the nation are beginning to return home in droves feeling safe and secured in their country once more.

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