

Samantha's Tips: Immigration Court 101

1. Although you have a hearing notice, it is a good idea to check your hearing date.

To do this, you will need a phone and your A#. Call the Immigration Court Hotline at 1-800-898-7180 and follow the prompts. If you are a Spanish-speaker, you can even have this information read to you in Spanish. *I recommend checking your hearing date about once a week.*

2. You MUST go to your scheduled hearing on time.

You should *always* go to your Immigration Court hearings. Even if you are scared, the outcome will absolutely be worse if you do not show up, or if you arrive late. This is because if you are not present at the time the Immigration Judge calls your case, you will be ordered removed from the United States.

This is called ordered removed “in absentia” or in your absence. It is important to note that if you have an emergency (for example you are in the hospital), find a way to communicate this information to the Immigration Court. This can mean alerting your Attorney or calling the immigration court’s main phone number. Either way, it is still possible that the judge will order your removal from the United States.

Please note that if you have *already* been ordered removed from the United States *in absentia*, you can file a “Motion to Reopen” your immigration case, basically asking the Judge to reopen your case. However, if you or a family member or friend are in this situation, please consult with an Immigration Attorney for more information.

3. When your case is first scheduled, it will be for a Master Calendar Hearing. What does this mean?

There are two types of Immigration Court hearings: A Master Calendar Hearing and an Individual Hearing. When your case is first scheduled in Immigration Court, you will be given a Master Calendar Hearing.

This is essentially a “check-in” with the Immigration Judge. During the Master Calendar Hearing you and your Attorney can explain what is going on in your case, and what you hope to accomplish as well as request any forms of relief.

Depending upon the situation, the Immigration Judge will either schedule you to come back for another Master Calendar Hearing or will schedule your case for an Individual Hearing.

An Individual Hearing is your final hearing before the Immigration Judge. It is your opportunity to give testimony about your case and to provide evidence that supports your claim. Either at this hearing, or shortly after this hearing, the Immigration Judge will make a decision about whether your case will be granted.

4. Who will be present at my hearing?

At a Master Calendar Hearing, the courtroom is usually very crowded and filled with Attorneys and other people just like you, waiting their turn to speak to the Judge. You may have to wait hours for your name to be called. Once it is your turn, you, or you and your Lawyer, will go up to the table and speak to both the Judge and the Government Attorney.

Depending upon your primary language, and the availability of interpreters in the courthouse, there may also be an interpreter so that you can speak to the Judge in your native language.

At an Individual Hearing, your case will likely be called at the time that it is scheduled. Also, at this hearing it is going to just be you, the Government Attorney, the Immigration Judge, an interpreter, and your Attorney (if you have one). If you have witnesses, they will also be able to attend the hearing.

Aside from that, your Individual Hearing will be conducted in private, so you should feel free to speak openly about the facts of your case.

5. What paperwork do I need to give to the Immigration Judge at my Master Calendar Hearing?

This all depends upon what form of relief you are seeking. Depending upon your case, you may need to show the Immigration Judge an application with supplemental evidence, or you may need to simply show the Judge proof of a pending application with United States Citizenship and Immigration Services (USCIS).

Examples of relief that you can seek before the Immigration Court include Asylum, Cancellation of Removal, a waiver, or even adjustment of status. If you (or a family member or friend) have a case before the Immigration Court, it is important to call an Immigration Attorney.

To schedule a consultation with Samantha Chasworth, Esq. or with any of the other Immigration and Nationality Lawyers at the Nachman Phulwani Zimovcak (NPZ) Law Group, please feel free to call the Firm at 201-670-0006. Our main office is in Ridgewood, New Jersey. We also have an office located in Branchburg, New Jersey, and New York City. NPZ also maintains affiliated offices in India and in Canada. For more information about our Firm's immigration and nationality law practice, please feel free to visit our website at <http://www.visaserve.com> or to send us an e-mail at info@visaserve.com