

Immigration Court Accompaniment Training with *Acompañamientos*

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Who we are

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Acompañamientos

is a collective of volunteers who accompany community members who are facing deportation to their Immigration Court Hearings and Ice Check-Ins appointments.

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We collaborate with and are requested to accompany folks from: The Ark, Immigration Clinic at Congregation Beit Simchat Torah (CBST), St Peters Church, Sanctuary For Families, the Long Island Immigration Clinic in Brentwood, and on occasion, for some other churches and community members.

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WE believe migration is a human right.
WE believe in the dignity of humanity
and the right of all people to seek a
good, safe life.

We believe people have the right to
self determination.

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WE translate our beliefs into the
concrete action of accompanying
folks to their ICE Check-ins and
Immigration Court Hearings

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What is the **BENEFIT** of
Accompaniment to our friends?

What are **OUR ROLES** as
Accompanier?

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- Support
- Empower
- Communicate
- Witness
- Comfort
- Review what happened
- Create community

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SUPPORT without CONFRONTATION

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How do you *suppose* accompanying a "friend" to their immigration court hearings changes the way they may be perceived?

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Seen in the company of an ally and a person of **privilege** may alter the way our friend is seen and treated.

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What are the **Roles** of the Accompanier?

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- **Support-**
Provide companionship
and a calming,
humanizing presence

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- **Empower friend** through
your presence.
- **Demystify** the immigration
court process

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- **Orient friend to the court**
Let friend know what to
expect, who's who in the
courtroom and what their
roles are, where things are
in the building, etc.

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- **Communicate-** help friend
communicate with court
personnel.
- (Even if you are fluent in a
shared language we **NEVER**
act as interpreters during
immigration hearings.)

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- **Communicate**- with friend and answer any questions they may have.

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- **Witness**
 - Hold officers and system accountable.
 - Model to the court staff, by your example, how to respectfully engage with folks in proceedings.
 - Take notes

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Send a **REPORT BACK** to the Requestor

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- **Review with Friend** what happened at the hearing or appointment –
- Beware of giving **Legal Advice**.

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- **Discuss -**
What are the next steps
friend should take to be prepared
for their:
 - **next court hearing ?**
 - **and to meet their goals ?**

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What are the **Rules**
of Accompaniment?

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Rule # 1

**EXPECT THE
UNEXPECTED!**

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Rule # 1

Do No Harm

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Rule # 2

RESPECT

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Rule # 3

NO JUDGMENT

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What is different now at Immigration Court due to COVID and The BIDEN Administration?

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Each judge has their own COVID-19 protocols-wear or bring a mask.

They sometimes limit who can enter the courtroom- we accompany alone or with one or two shadows.

Webex, the court's video conferencing system, is now commonplace. Some judges are on a video monitor, and the DHS prosecuting lawyer is more often than not on video. So are most defending attorneys.

Under the Biden DOJ, more of our friends are being offered "Prosecutorial Discretion" where the government will dismiss their case without prejudice. **Also without a path to citizenship or ability to get a work permit.**

Acompañamientos has not had requests to accompany at bond hearings or at detained folks' hearings-all parties are on video.

We still walk in solidarity with our immigrant friend to support and witness and consider witnessing a political act.

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Why would it be helpful for Pro se Clinic Volunteers or Mutual Aid Allies to accompany folks to their court hearings?

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Understand what friends may face in courtroom proceedings.

Be better able to prepare friend about what to expect.

May be better able to answer questions for friends who may not be clear about what was said or what it meant.

Become familiar with the judges and their variations in decisions and their individual way of running their courts.

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What is the Role of the Shadower?

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Together with the lead accompanier create a supportive community to empower with your presence.

Follow the leader as you witness; learn through observing, **keeping the focus on the needs of the friend.**

Any questions you may have about the accompaniment and court may best be reserved for a debrief with the leader mentor after the accompaniment, or by follow-up emails.

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NUTS & BOLTS

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Folks in
Immigration Proceedings
may have appointments with
2 separate Federal Agencies:

ICE
and/or
Immigration Court

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**U.S. Immigration
and Customs
Enforcement**

ICE

Also called ERO (Enforcement and Removal Operations)
Part of the **Department of Homeland Security**

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ICE in NYC

People in NYC are told to report to **26 Federal Plaza**, 5th or 9th floor, or sometime are just seen on the Ground Floor.

CURRENTLY so crowded it is suggested that friends need to report before

6am regardless of what time it says on their ICE paper to report, or they may be turned away.

On this type of accompaniment, **you** rarely get inside.

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NEW: For folks reporting for **ICE CHECK-INS** in NYC at **26 Federal Plaza**- The entrance is on **Broadway** between **Worth** and **Duane Street**



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YOU MAY REPORT REMOTELY INSTEAD OF IN PERSON.

PLEASE SCHEDULE AN APPOINTMENT

BY FOLLOWING THE INSTRUCTIONS BELOW:

1. Use QR Code #1 or go to [Checkin.ice.gov](https://checkin.ice.gov) to schedule an appointment.
2. Once your appointment is scheduled, use QR Code #2 or QR Code #3 to remotely report to the local field office via email.
 - If you were **NOT** issued a government cell phone or electronic device - Use QR Code #2 or email (ERONYCAppointments@ice.dhs.gov)
 - If you **HAVE** a government issued cell phone or electronic device - Use QR Code #3 or email (ERONYCATD@ice.dhs.gov). You will receive instructions on how to return the phone or device.

In your email include the following information:

- A#
- Current address and Telephone #
- Field Office Appointment Scheduler (FOAS) # and appointment date

QR Code #1 ICE Field Office Appointment Scheduler (FOAS) (or visit - checkin.ice.gov) 	QR Code #2 NYC ICE/ERO Appointments Email Address (ERONYCAppointments@ice.dhs.gov) 	QR Code #3 NYC ICE/ERO Alternatives to Detention (ATD) Email Address (ERONYCATD@ice.dhs.gov) 
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Some folks may be sent by ICE to a private contractor called:

ISAP-
Intensive Supervision Appearance Program

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ISAP is at 7 ELK St and we accompany folks there also.



There are also branches in Queens and The Bronx.



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ICE in NJ

Folks in northern NJ are told to report to **970 Broad St, Newark, NJ** and join a line outside. ICE officers meet them outside, check papers and give instructions or new dates to report.



On this type of accompaniment, **you and they** rarely get inside the building.

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TWO TYPES
of
ICE Check-ins:

Routine
&
High Risk

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Routine ICE Check-ins

- At 26 Federal Plaza and other ICE venues
- For new arrivals, people with EOIR court hearings, people returning ICE phones
- At 26 FP should arrive by **5:30am**
- WE provide instructions and follow up.
- **WE do not prioritize accompaniment to routine check-ins.**

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High Risk ICE Check-ins

- At 26 Federal Plaza and other ICE venues
- For people who have been ordered "removed" by the EOIR, no open appeal
- WE have **specific protocols** to follow for High-Risk check-ins.
- A small group goes, sometimes with a clergy person, or with the friend's lawyer.
- **WE prioritize High RISK check-ins.**

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Immigration Court

Called EOIR (Executive Office for Immigration Review)
Part of the **Department of Justice**

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NYC Locations:

- 26 Federal Plaza
- 290 Broadway
- 201 Varick St


NJ Main Location:

- 970 Broad St., Room 1200
Newark

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26 Federal Plaza, COURT Entrance on Worth St. Courts are on the 12th and 14th floors - Court window is on the 12th.



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Newark Immigration Court: 970 Broad St.
12th floor – Service window in Waiting Room
Entrance is on Walnut St. between Broad and Orchard St



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The courts are overwhelmed, and some folks who have been allowed into the country may have a long wait before they receive their first court date, even though asylum applications, known as I-589's, are due within a year.

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SOMETIMES friends are in a category where they have received a "NOTICE TO APPEAR" but then the Department of Homeland Security is not ready to proceed and it is considered "A Failure to Prosecute"

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A photograph of a "Failure to Prosecute Notice" form. The form is from the U.S. Department of Justice, Executive Office for Immigration Review, New York Branch, Immigration Court. It includes fields for "Att. #", "Date", and "Name". The text on the form states: "The Department of Homeland Security (DHS) has not yet filed the appropriate documents with the Immigration Court to initiate your hearing. You will be notified by this office of a new date and time for your hearing if/when the appropriate documents are filed by DHS. Please ensure that this office has your current address or submit a Change of Address Form (EOIR-33) before leaving the office today." There is also a Spanish translation of the notice. A person's finger is visible at the bottom of the form.

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Meanwhile
 other friends are put into
 the Dedicated Docket
 aka
"THE ROCKET DOCKET"
 whose judges are supposed to
 close cases in 300 days.

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OPLA NYC Prosecutorial Discretion Instructions for Pro Se Noncitizens

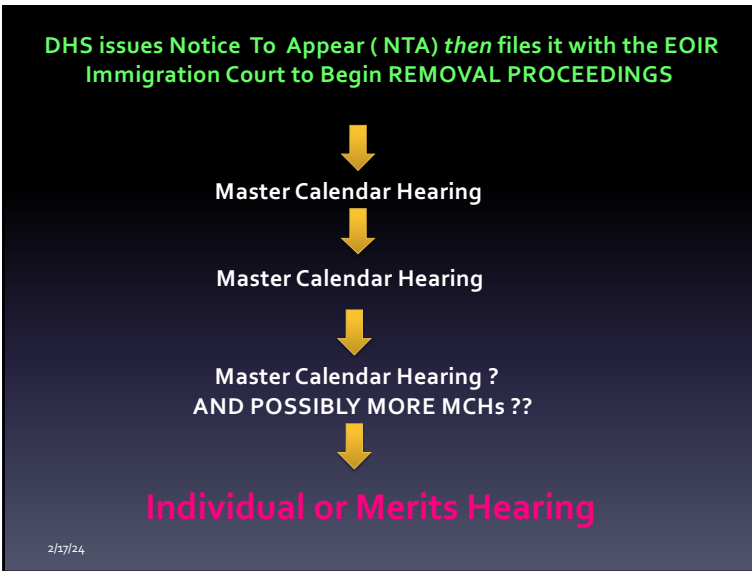
isid that the government has the ability, in certain circumstances, to decide whether to exercise
 someone's case. Prosecutorial discretion can be exercised in many different ways, including
 eedings. If you do not wish to pursue your case in immigration court, or if you would like the
 ase for a possible exercise of prosecutorial discretion, you can submit a written request. Your
 ish language. In your written submission, please include the following information:

Prosecutorial Discretion ??????

our full name, date of birth, and "A" number (if you have one);
 he reason(s) why you think the government should exercise prosecutorial discretion in your c
 upporting documentation to assist the government in evaluating your case.
 or request for limited periods of administrative closure (where allowed by law), the
 documents must include:

- i. A sworn statement which, at a minimum, sets forth 1) the circumstances of any arra
 attestation that you have not committed any crimes anywhere in the world), and 2)
 not engaged in any fraud and do not have any other A-numbers or aliases;
- ii. If applicable, a comprehensive list of any/all criminal history with corresponding a
 conviction records;
- iii. If no criminal history claimed, then a Certificate of Good Conduct (Non-existence
 equivalent) from any town, village or city you have resided in while in the United S

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**Two TYPES OF
 HEARINGS:**

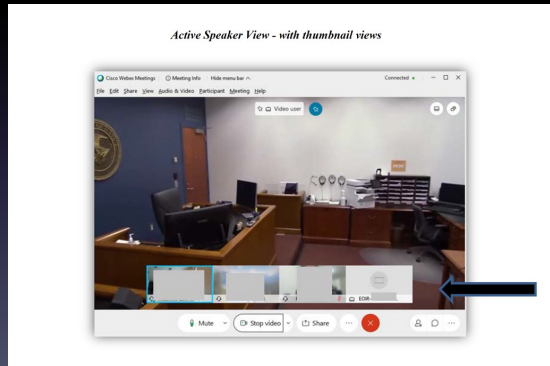
**Internet- Based
 and
 In Person**

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Internet- Based

Appearing at court via video on WEBEX- -or telephonically.
Lately some *pro se folks* (people with out lawyers) have been assigned by default to Internet- based hearings.



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Who's Who in the Immigration Courtroom



- DOJ IMMIGRATION JUDGE
May be on WebEx
- INTERPRETER
on WebEx or in person
- DHS PROSECUTING ATTORNEY
Always on WebEx
- JUDGE'S CLERK
Usually present at court
- PRO SE RESPONDENT(S)
Usually present at court
- RESPONDENT(S) with
PRO BONO or PRIVATE ATTORNEYS
Usually on WebEx

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Master Calendar Hearings

- Are generally short and consist of only a few questions from the immigration judge.
- A DHS lawyer, the prosecutor, is present for the gov't.
- A "respondent" may have many MCHs
- The judge will ask if they intend to apply for any form of immigration "relief"
- **Pro se** individuals (no lawyer) are usually given more time to find a lawyer
- Asylum applications, 1-589's, (a form of relief) and other documents are submitted at a MCH

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Individual Hearings

- Also called **Merits Hearing** is the final hearing, **where the case is decided.**
- The "respondent" will have the opportunity to testify, examine witnesses, and present evidence and legal arguments explaining why the judge should grant their application for relief.
- Having an immigration lawyer representing is a great asset.
- Individual hearings can last for several hours.
- **WE prioritize Individual hearings.**

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Signing Up to Join *Acompañamientos*

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Please Join US!

- We will send you an Invitation by email to see if you would like to shadow on an accompaniment to court.
- If you RSVP **yes!** to our email, we will send you dates for you to choose from.
- You can continue to shadow until you feel ready with backup support to accompany a friend on your own. Feel free to sign up to shadow with a friend.
- There will also be zoom orientation trainings for those who become active shadowers.

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"What if I don't speak the friend's language?"

- We have Spanish, French and Creole speakers available for you to call, if help is needed to communicate.
- Excellent App to have on your phone:

GOOGLE TRANSLATE !

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Other Great Apps to Have on your phone

- WhatsApp
- Signal -<https://apps.apple.com/us/app/signal-private-messenger/id874139669>
- EOIR Automated Case Information Website-
<https://acis.eoir.justice.gov/en/>
- *And in your Phone Favorites:*
The Immigration Court Hotline number:
1-800-898-7180

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Resources

- We maintain an Accompaniment Calendar on [AirTable](#)
- And a Google Drive Folder with information and shared resources to assist *Acompañamientos* members and to offer to friends.

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ACOMPÑAMIENTOS TRAINING REVIEW!

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ACOMPÑAMIENTOS TRAINING REVIEW!

	ACRONYMS	PROS & CONS	FERI		
	\$200	\$200	\$200		
	\$400	\$400	\$400		
	\$600	\$600	\$600		
	\$800	\$800	\$800		

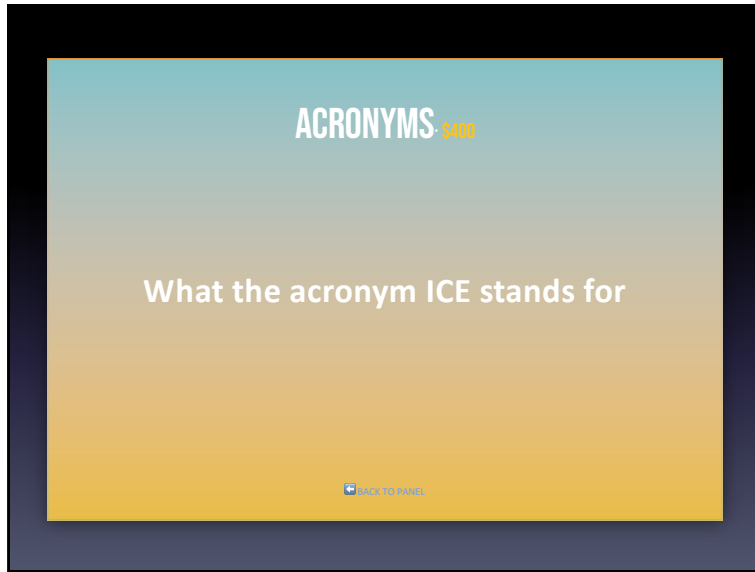
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ACRONYMS \$200

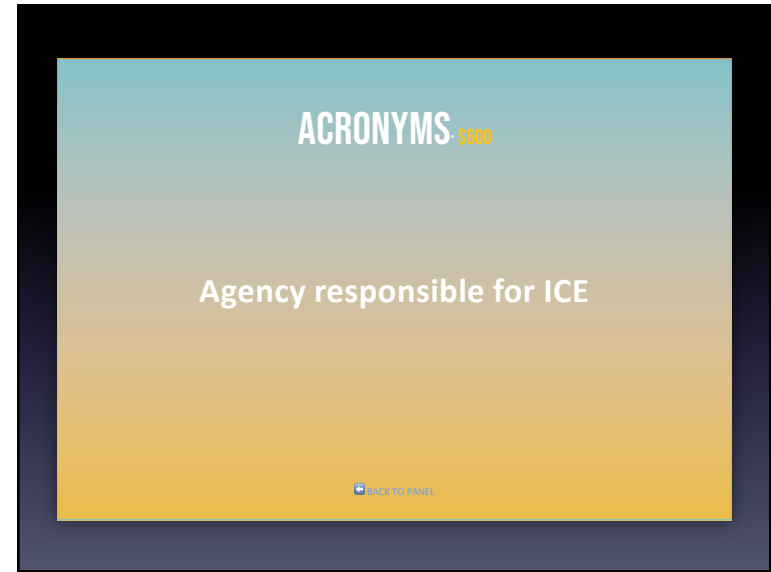
Form I-589

BACK TO MENU

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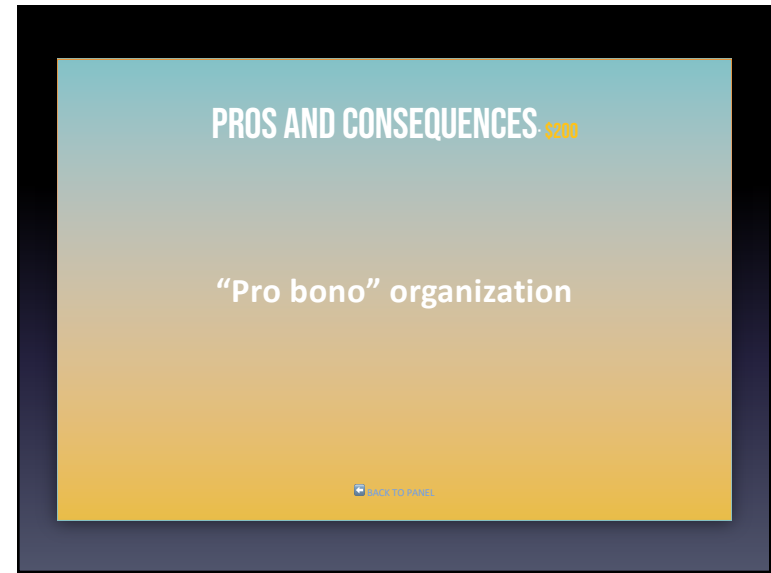
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PROS AND CONSEQUENCES §400

“Pro se” respondent

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PROS AND CONSEQUENCES §600

Consequence of missing an Immigration Hearing

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PROS AND CONSEQUENCES §800

Possible consequence of accepting PD (Prosecutorial Discretion)

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R&R §200

A Rule to Remember in Accompanying “Friends” to Immigration Court (not previously mentioned)

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R&R 5400

A Rule to Remember in Accompanying
"Friends" to Immigration Court (not
previously mentioned)

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R&R 5800

Your Role when Accompanying a Friend
to Immigration Court (not previously
mentioned)

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R&R 5900

Your Role when Accompanying a Friend
to Immigration Court (not previously
mentioned)

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THANK YOU!

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