

**Human Rights Defender Project: Court Observation -MERITS Hearing**

Date: \_\_\_\_\_ Observer: \_\_\_\_\_  In Person  WebEx

**GENERAL**

1. Last 3 digits of A#: \_\_\_\_\_ 2. Country of origin : \_\_\_\_\_

3. Gender:  Male  Female  Transgender/ non-binary  Unsure

4. Respondent Appears:  In Person  Video  Phone/audio  Didn't appear, reason: \_\_\_\_\_

5. Judge:  Carr  Hansen  Ivany  Mazzie  Miller  Sardelli  Wood  Zaske  Other: \_\_\_\_\_

Judge appears:  in Person  via Video  phone/audio

6. DHS Attorney: \_\_\_\_\_  in Person  via Video  phone/audio  didn't appear

7. Was respondent represented?  In person  Phone/Audio  Video  No, pro se  Attorney failed to appear

Comment: \_\_\_\_\_

8. Is today's hearing a continuation of a previously commenced merits hearing?  Yes  No  Unsure

9. **DOCKET:**  Non-Detained  IHP (prison)  ICE detention  Unsure; Comment: \_\_\_\_\_

**LANGUAGE**

10. Respondent's preferred language: \_\_\_\_\_

11. Was interpreter used?  Not needed  In Courtroom  By video  By phone  Not available  Attorney waived

12. Language provided to respondent (interpreter language): \_\_\_\_\_

13. Language provided to testifiers (interpreter language): \_\_\_\_\_  NA

14. Interpretation (check all that apply) :  Complete  Incomplete  Technical problems  Multiple attempts to find  
 Not in preferred language Comment: \_\_\_\_\_

**MERITS**

15. **Relief application being heard** (check all that apply)

- Cancellation:  42A (LPR)  42B  Voluntary Departure
- I-589:  Asylum /  WOR /  CAT  Other \_\_\_\_\_
- Adjustment of status  Unsure
- Termination of proceedings

16. **Testimony/ Witnesses-** (check all that apply)  Respondent.  Family  Other Supporter  
 Medical  Mental Health  Country Expert

17. How testifiers and witnesses appear (check all that apply)  written  in courtroom  on phone  via video

18. Comment about testifiers/ testimony:

19. Were there supporters present in court who did not testify?  no  yes, family  yes, other supporters

**Presence in country**

20. Respondent's entry date/ length of time in the US: \_\_\_\_\_  Unknown

21. Does respondent have family in the US?  Yes  No  Unknown. If family present, who and what status in US:  
\_\_\_\_\_

**Background**

22. What was said about conditions in home country?  Not discussed

23. What was said about how respondent got into removal proceedings?

Not discussed

**Criminal history**

24. Was a criminal history mentioned?  Not Discussed  No criminal Hx  All convictions  All cases are pending  
 Arrests but no charges  All cases acquitted/dismissed  Mixed History  Unknown outcome of charges/ cases

Comments: \_\_\_\_\_

**Legal argument**

25. Describe the main argument of respondent (or attorney):

26. Describe the main argument of government attorney:

27. Describe main questioning / reasoning of Judge:

**Health**

28. Was there mention of respondent having the following medical/ mental health issues?

- Bipolar  Depression/ Anxiety  Schizophrenia  Other
- Chemical Dependency  PTSD  Torture Survivor  None
- Cognitive Impairment  Sexual assault survivor  Traumatic Brain injury

Comment: \_\_\_\_\_

**CONCLUSION**

29. Judge's action:  Relief Granted  Relief Denied  Case Continued for testimony  
 Case Continued for oral decision  Voluntary departure  Will issue written decision  Unsure  
 Other    Comment: \_\_\_\_\_

30. If continued, next hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

31. Did parties reserve appeal of decision?  NA\_(no decision today)    DHS:  Yes  No    Respondent:  Yes  No

Comment: \_\_\_\_\_

32. **Other comments:** What barriers did Respondent face and how did court address these? Does the respondent understand what happened? Was the outcome rightly decided from a moral perspective? How did the court recognize the humanity and individuality of the respondent? What had the most impact on you? What questions did this raise?

33. How long did hearing last?  less than 2 hours  2-3 hours  3-4 hours  More than 4 hours