

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
- I-589: Asylum / WOR / CAT
- Adjustment of status
- Termination of proceedings
- Voluntary Departure
- Other _____
- Unsure

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