



Human Rights Defender Project
Immigration Court Observation

2026 OBSERVATION FORMS AND ANNOTATED GUIDES

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POINTERS FOR COMPLETING OBSERVATION FORMS

- Most observers do a combination of filling out part of the form while observing, taking narrative notes on a notepad and then completing forms at home. This strategy helps observers document essential details, but also distill down comments to the most pertinent or illustrative. Some observers just take notes and don't use the form during court. New observers will likely need the form in front of them to be able to make sense of what they are hearing and remember what needs to be documented.
- Write your full name on each form and the full date including the year.
- If you are handwriting your forms, please print neatly. Data entry volunteers need to read your forms and enter them into our database.
- Use pen when possible. Pen is much easier to read than pencil.
- Do not write to the edges of the form, they will not scan or print well, and this makes data entry difficult.
- Do not write respondent's names on the forms, we want to preserve privacy.
- **Answer all questions** unless the form tells you that certain questions can be skipped. It is fine to write "not applicable" or "no comment", or check "not discussed", "unknown", "unsure". Providing a response to all questions is the only way we know you have reviewed your form and completed it fully.
- **Put answers where the question is asked**, not in the general comment section at the end. When doing data analysis, we want to be able to easily find what we are looking for.
- **Review each form before you submit it.**
- You can submit additional comments in the body of an email or in a word document attachment; not a pdf. If you do this:
 - Be brief. We can't enter paragraphs into our database and data entry volunteers are not allowed to edit or paraphrase.
 - Label any additional comments with your name, date, shift type and A# if relevant.
 - Reference the question # from the observation form that your comment pertains to.
- Completed forms can be submitted in any of the following ways:
 - Mail handwritten forms to: Immigration Court Observation Project, The Advocates for Human Rights, 330 2nd Ave S, Suite 800, Minneapolis MN 55401.
 - Email typed fillable pdfs. Typically, several forms can be attached to one email.
 - Email photographed handwritten forms. Depending on file size, you might need to send in several emails.
 - Scan handwritten forms. Depending on file size, you may be able to email, or you may need to upload to a drive and send a link. Uploading to a shared drive is the least preferable option.
 - **Emails are sent to courtobserver@umn.edu**
- If you print your forms one-sided or take photos of your completed forms to submit them by email, make sure that each page is labeled: name and date for non-detained shifts, A# for detained shifts.
- If you email photos of any completed forms, please email them as "actual size" attachments. Compressed sizes will be blurry when enlarged for data entry.
- If you mail forms, please do not staple pages together; make sure each page is labeled, with your name or the respondent's A#.
- If you are typing into the fillable pdfs make sure you don't exceed the allotted space. Some of the comment boxes can scroll, but you still need to be sure that when you save the document to send, that the contents can be copied and pasted into our database. Type and save in preview mode and don't save as a static pdf.
- If you are using fillable pdfs make sure you start with a blank form each time.
- If you are titling your forms before emailing, use the following format: first and last name, date, shift type and last 3 digits of A# if you have multiple forms from one shift. Example: Olivia Observer 1.4.26 detained #312

- **Submit your forms as soon as possible, and no later than two weeks after your shift.** If you have trouble submitting your forms in a timely manner, you may want to space out your observation shifts.
- Experienced observers can be trained to do their own data entry. Let project staff know if you think you are ready. Those who enter their own data are also invited to do data entry of other people's forms.
- Remember that observation is not court transcription. The goal is to summarize, synthesize, and reflect. Don't worry if you miss some things or are confused by some cases. Perfect data is not our purpose.

2026 DETAINED MASTER CALENDAR AND BOND HEARING SAMPLE FORM

A# _____

1.1.26

2026 Detained Master Calendar and Bond Hearing-Immigration Court Observation

Date: 1-7-26 Observer (first last): Olivia Observer

Shift start time: ☐ 8:30 ☐ 10:00 ☒ 1:30 ☐ 3:00

☒ check if there were any closed hearings during your shift (not allowed entry/asked to leave)

1. A#: 335 ☒ IJ didn't say full A# 2. Country of origin: VE

3. Gender: ☒ Male ☐ Female ☐ Trans./ non-binary ☐ Unsure ☐ respondent didn't appear, Reason: _____

4. Judge (IJ): ☐ Carr ☒ Ivany ☐ Miller ☐ Sardelli ☐ Other: _____ ☐ IJ remote from other court

5. DHS Attorney: Justin Lee ☐ inaudible ☐ didn't state name on record ☐ didn't appear

6. Was the respondent represented today? ☐ Yes ☒ No, pro se ☐ Attorney failed to appear

Comment (atty name if possible): _____

7. Detention Location:

| | | |
|---|--|--|
| <input type="checkbox"/> Burleigh-BL7 | <input type="checkbox"/> Grand Forks-BLG | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Crookston-BLC | <input type="checkbox"/> Kandiyohi-BLD | <input type="checkbox"/> IHP (Prison): _____ |
| <input type="checkbox"/> Douglas-BL8 | <input type="checkbox"/> Lawrence-BL5 | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Freeborn-BLF | <input type="checkbox"/> Sherburne-BSB | |

8. Language on docket: Spanish IJ confirmed R's best language ☐ Yes, same as docket

☐ Yes, best language differs from docket, is: _____ ☒ No, IJ didn't ask ☐ Unsure

9. Interpreter's language: Spanish ☐ N/A - R speak English ☐ No interpreter available

10. Did IJ ask attorney to waive interpretation?: ☐ Yes ☐ No ☒ N/A Comment: _____

11. Interpretation problems: _____ ☐ none

BOND HEARING

12. Did respondent request bond today? ☐ Yes ☒ No (can skip to question 23) ☐ Unsure

13. Did DHS state ineligible? ☐ Yes ☐ No ☐ Unsure Did IJ rule R ineligible/ IJ no jurisdiction? ☐ Yes ☐ No ☐ Unsure

If ineligible, why: ☐ Entered illegally ☐ 235(b)(2) ☐ Laken-Riley ☐ Conviction-mandatory det. ☐ Unsure ☐ Other

14. If bond hearing held today: Bond amount requested? \$ _____ ☐ No amount specified

15. IJ explained burden of proof: ☐ Eligible (not barred) ☐ Danger ☐ Flight risk ☐ Useful evidence: _____

16. Respondent argument/evidence: _____

17. DHS's argument/evidence: _____ ☐ Didn't speak

18. Outcome: ☐ Granted ☐ Denied ☐ Withdrew motion ☐ Continuance ☐ IJ will issue written decision

19. If granted, bond amount: \$ _____

20. If denied, why? ☐ Ineligible/mandatory detention ☐ Danger to society ☐ Flight risk ☐ Other _____

21. Factors mentioned in granting or denying bond? _____

22. Did parties reserve appeal on bond? DHS: ☐ Yes ☐ No, waived Respondent: ☐ Yes ☐ No, waived ☐ Judge didn't ask

ALL HEARINGS

23. Why Resp. in ICE custody- where/when arrested? collateral arrest at worksite ☐ Unknown

24. Pleadings taken today? ☒ Yes ☐ No Comment: _____

25. Did Judge screen for eligibility for relief? ☒ Yes, eligible to apply ☐ Yes, ineligible for any form of relief ☐ No

A# 335

1.1.26

26. Relief discussed / potentially eligible? ☐ Not discussed

☐ I-589 ☒ Asylum / ☐ WOR / ☐ CAT

☐ Voluntary Departure

☐ U-Visa or T-Visa

☐ Cancellation: ☐ 42A (LPR) ☐ 42B

☐ Adjustment of Status (I-485, I-130)

☐ Waiver

☐ Cuban Adjustment Act

☐ SIJS/ I-360

☐ Other/ unsure: _____

27. Application: ☐ Not Discussed ☐ Offered or given today ☐ Given previously ☒ Filed previously ☐ Atty will file

☐ Unsure ☐ Other Comment: timely filed

28. Filings- Did Judge explain ☐ All documents must be in English/translated ☐ Send evidence in original language too

☐ Include translator attestation ☐ Jail will help mail app? ☐ Save copy for self ☐ Unsure ☒ None

29. Was there a mention of, or motion for preemption? ☒ Yes ☐ No ☐ Unsure

Comment: _____

30. Was there a mention of, or motion for removal under ACA/ Safe 3rd Country? ☒ Yes ☐ No ☐ Unsure

Comment: DHS moved to pretermite under ACA & deport to HO,

31. Did respondent ask to be deported? ☒ Yes ☐ No If asked for deportation, what did respondent say? _____

Only after hearing alternative is HO

32. Today's Outcome: ☐ Case continued ☒ Removal/Deport-Home ☐ Removal/Deport-3rd country ☐ Termination

☐ Dismissal Granted: ☐ Voluntary departure ☐ Waiver ☐ Adjustment of status ☐ Unsure ☐ Other: _____

33. If case continued, next hearing: Date _____ Time _____

34. If Judge made final decision did parties reserve appeal? ☐ Not applicable ☐ Check if IJ noted filing fee for appeal

DHS: ☐ Yes ☒ No, waived Respondent: ☐ Yes ☒ No, waived ☐ Judge didn't ask ☐ Unsure

CRIMINAL HISTORY

35. Arrests or convictions? ☐ Not discussed ☒ No criminal Hx ☐ Has at least one arrest ☐ Has at least one conviction

Comments: _____

EQUITIES

36. Length of time in the US: 2.5 yrs ☐ Unknown

37. Family in the US? ☐ Yes: _____ ☐ No ☒ Unknown

38. Supporters in court? ☐ Family ☐ Other supporters ☐ Can't tell ☒ None ☐ Supporters acknowledged

WELLBEING

39. Any concern about mental health, physical illness, or competency? ☐ Yes ☒ No ☐ Unsure

Explain: _____

40. Complaints about conditions in detention: "They treat us terribly" ☐ None

41. **IMPRESSIONS:** Use this space for comments, questions, quotes, and impressions

IJ explained ACA said R could withdraw asylum app & be deported back to VE or be deported to HO under ACA. R very confused - "I don't know anyone in HO?" "I did everything right to come here, I followed all the rules!"
Tearfully withdraws app accept removal to VE

2026 DETAINED MASTER CALENDAR AND BOND HEARING ANNOTATED FORM

A# _____

1.1.26

Annotated- 2026 Detained Master Calendar and Bond Hearing-Immigration Court Observation

It is strongly advised that you review this annotated form periodically to make sure you are correctly completing your observation forms. Please print legibly. Avoid writing in the margins. If comments don't all fit on the page, you may attach an extra word document or put comments in the body of an email, please be brief. The purpose is to summarize, synthesize, and reflect, not to transcribe the hearing. Please make sure the last 3 digits of the A# are on the top left corner of the back page.

Date: _____ Observer (first last): _____

Format date: mm/dd/yyyy

Print your first and last name

Shift start time: ☐ 8:30 ☐ 10:00 ☐ 1:30 ☐ 3:00

Mark the start time that best correlates to the shift you signed up for

☐ check if there were any closed hearings during your shift (not allowed entry/asked to leave)

If you are told that a case on the master calendar docket during your shift is closed for privacy/confidentiality (or unexplained reason) check the box. It is fine to check the box on one form or to check it on every form for your shift. We are trying to track the number of days where master calendar hearings are closed to the public. If you know the specific case that is closed, you can fill out a form with the A#, country, Judge, start time, date, check this box and write "closed hearing" for question 41.

1. A#: _____ ☐ IJ didn't say full A# 2. Country of origin: _____

A# is very important. The last three digits are on the posted docket. Attempt to capture all 9 digits the Judge reads into the record. If you are missing a number, use X. Check the box if the Judge didn't say the full A#, ex: "A# ending in..."

*If possible, list the 2 digit code and the full country name. There is a list of frequent country codes in the resource/glossary section of the volunteer manual. If you don't know the name of the country just list the 2-digit code. **Do not google the two-digit country code**; the court uses a unique list which doesn't correspond to what you find on the internet. If there is no country code listed on the docket write "blank on docket". Unless pleadings are done, the country is rarely stated during the hearing, you will need to check the posted docket.*

3. Gender: ☐ Male ☐ Female ☐ Trans./ non-binary ☐ Unsure ☐ respondent didn't appear, Reason: _____

Assume that if someone is transgender or non-binary, this will be noted during the hearing. Otherwise write male and female according to how they present visually or are referred to in court.

Occasionally the respondent won't appear; an attorney may waive their appearance, or the respondent might be in quarantine, out on a writ, in transit, or transferred out of jurisdiction. If the respondent doesn't appear, check the box and write the reason.

4. Judge (IJ): ☐ Carr ☐ Ivany ☐ Mazzie ☐ Miller ☐ Sardelli ☐ Other: _____ ☐ IJ remote from other court

Check the box for the judge who conducted the hearings you observed, if other than those listed, check "other" and list the judge's name. Check the box if a judge is appearing from another jurisdiction.

5. DHS Attorney: _____ ☐ inaudible ☐ didn't state name on record ☐ didn't appear

A list of the government attorneys' names is in the resources/glossary section of the volunteer manual. There is a lot of turnover; if the name isn't listed, do your best to approximate the name. If it was stated but you couldn't understand, mark "inaudible", if the judge didn't state the name or ask the DHS attorney to state their name, mark "didn't state name on record", if there was no DHS attorney for the hearing, mark "didn't appear". You do not need to document whether the DHS attorney appeared in person or remotely.

6. Was the respondent represented today? ☐ Yes ☐ No, pro se ☐ Attorney failed to appear

Comment (attorney name if possible): _____

If the respondent does not have an attorney for the observed hearing, they are pro se. A respondent might comment about trying to find an attorney and not getting calls back, or about not being able to afford an attorney; that is a useful comment to write. On a rare occasion a respondent will state they hired an attorney, but the attorney didn't show up, this is a breach and the judge will typically note it. In this situation, check "attorney failed to appear," but only if certain the attorney had

filed with the court, otherwise mark pro se. The name of the attorney is useful, but not required. It is not uncommon that an attorney will appear that was just hired, this is also something useful to list in the comment section.

7. Detention Location:

- | | | |
|--|--|--|
| <input type="checkbox"/> Burleigh-BL7 | <input type="checkbox"/> Grand Forks-BLG | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Crookston-BLC | <input type="checkbox"/> Kandiyohi-BLD | <input type="checkbox"/> IHP (Prison): _____ |
| <input type="checkbox"/> Douglas-BL8 | <input type="checkbox"/> Lawrence-BL5 | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Freeborn-BLF | <input type="checkbox"/> Sherburne-BSB | |

In this court's jurisdiction, ICE detains people in county jails in MN, ND and SD. ICE is frequently transferring respondents between detention facilities, including those out of this court's jurisdiction. They are also opening new detention facilities all the time. The location on the posted docket (H.Loc) may or not be accurate. If the location isn't stated during the hearing, you can mark the location that is listed on the docket. However, if you know the location on the posted docket is wrong, do not mark it. If you know the person is in transit between facilities, mark "other" and write "in transit." Judge Miller conducts the IHP hearings (people in state or federal prison), on occasional Tuesday mornings, you'll check the IHP box and write the prison name if it is stated when observing the Tuesday IHP docket.

8. Language on docket: _____ IJ confirmed R's best language ☐ Yes, same as docket

☐ Yes, best language differs from docket, is: _____ ☐ No, IJ didn't ask ☐ Unsure

Write the language that is listed on the docket (UNK means ICE hasn't determined the language.) At a first hearing the judge should ask the respondent what language they speak and understand the best. The best language sometimes differs from what is posted on the docket. If the judge asks and the language is different, write that above. If the judge doesn't confirm the best language mark "IJ didn't ask." This is, of course a concern at a first hearing. It is not expected the judge would ask at a subsequent hearing, but sometimes a respondent will request an interpreter at a subsequent hearing if they decide they don't have sufficient fluency in the documented language. Sometimes when a respondent will say they are capable in a language (often English) and then asks at a subsequent hearing to have an interpreter in their native language.

9. Interpreter's language: _____ ☐ N/A – R speak English ☐ No interpreter available

If the court provided an interpreter, note what language the interpreter spoke. If the respondent's best language is English, mark "N/A- R speaks English". If an interpreter is needed but none was provided, mark "No interpreter available".

10. Did IJ ask attorney to waive interpretation?: ☐ Yes ☐ No ☐ N/A Comment: _____

When the respondent has an attorney, it is not uncommon for the judge to ask the attorney to waive interpretation. Attorneys are under pressure to consent in deference to the judge. This speeds up the hearing, but deprives the respondent full access to the hearing. If the judge asks, state in the comment area if the attorney consented to waive and a brief note about whether any interpretation of substance was provided.

11. Interpretation problems: _____ ☐ none

Comment on any problems with interpretation- misunderstanding, poor sound, dialect issues, not thorough, rambling etc.

BOND HEARING

12. Did respondent request bond today? ☐ Yes ☐ No (can skip to question 23) ☐ Unsure

Mary yes If the respondent is scheduled for a bond hearing on the docket, asks for bond during the course of the hearing, and/or the judge states the respondent submitted a bond request.

13. Did DHS state ineligible? ☐ Yes ☐ No ☐ Unsure Did IJ rule R ineligible/ IJ no jurisdiction? ☐ Yes ☐ No ☐ Unsure

If ineligible, why: ☐ Entered illegally ☐ 235(b)(2) ☐ Laken-Riley ☐ Conviction-mandatory det. ☐ Unsure ☐ Other

The judge will often ask DHS (DHS- means Department of Homeland Security attorney) at the outset if they are going to be making an argument about jurisdiction. That means that DHS will be arguing the respondent is ineligible for bond under recent statute or case law and therefore the judge has no authority to grant a bond. DHS will typically state the reason they deem the person ineligible; mark any of the boxes you hear- whether or not you understand what is being said. If there are additional or alternative reasons, you can write them in question 17. The judge will usually then rule, or state, they agree or

disagree they lack jurisdiction. Mark that in the second part of question 13. If the judge rules they have jurisdiction or if that issue is not under contention, answer the rest of the bond questions.

14. If bond hearing held today: Bond amount requested? \$ _____ ☐ No amount specified

If a specific amount of bond is requested (usually only if there is an attorney representing the case), please note the amount requested. Otherwise mark "no amount specified". We aim to analyze how the amount requested compares to the amount granted.

15. IJ explained burden of proof: ☐ Eligible (not barred) ☐ Danger ☐ Flight risk ☐ Useful evidence: _____

Sometimes the judge will only talk about the burden of proof if the bond hearing is not going to be conducted today and the judge is advising on preparing for a future bond hearing. Sometimes the judge only talks about burden of proof when they rule to deny bond. If a judge explains the respondent must argue and present evidence to show they are eligible, that they are not a danger to persons or property and that they are not a flight risk, check the relevant box(es). If the judge gives examples of evidence that might bolster the bond argument check the box and list the examples.

16. Respondent argument/evidence: _____

What did the respondent say and what evidence did they submit in support of bond? Fill this out whether the respondent or their attorney is presenting. If the attorney makes a specific argument about jurisdiction or why the respondent does qualify, briefly explain.

17. DHS's argument/evidence: _____ ☐ Didn't speak

We are looking at what the government says during these. We want to know what DHS has to say, what evidence they submit, how they argue against bond, whether they oppose a continuance etc. Please mark the box DHS did not speak, if they don't present any arguments during the bond hearing.

18. Outcome: ☐ Granted ☐ Denied ☐ Withdrew motion ☐ Continuance ☐ IJ will issue written decision

Note what happens to conclude the bond hearing- the judge makes a decision to grant or deny bond, the respondent (or their attorney) withdraws the bond request, the case is continued Sometimes the judge will hear the entire case, but state they need time to consider all evidence and legal arguments and will issue a written decision. In general, you'll only have one answer to this question, but if more apply mark all relevant boxes.

19. If granted, bond amount: \$ _____

If bond was granted list the amount and skip questions #20.

20. If denied, why? ☐ Ineligible/mandatory detention ☐ Danger to society ☐ Flight risk ☐ Other _____

If bond was denied, please list the reason. If subject to mandatory detention, no need to note if judge also states dangerousness. If Judge notes criminal record or seriousness of pending charges, this is considered "danger to society."

21. Factors mentioned in granting or denying bond? _____

Very briefly state what factors were mentioned by the judge DHS's arguments, that were accepted by the judge. For example: mitigating factors to criminal history, lack of avenues for relief, family or lack of family with status. If the judge seemed to change their opinion after hearing the government argument, please note that. If the judge states they can't grant bond but that ICE can grant parole or release, note that.

22. Did parties reserve appeal on bond? DHS: ☐ Yes ☐ No, waived Respondent: ☐ Yes ☐ No, waived ☐ Judge didn't ask

After the judge issues a bond decision, yes or no, DHS and the respondent will typically be asked if they wish to reserve appeal. They will either state yes, they reserve appeal or no, they waive the right to appeal the decision. If they reserve appeal, they will be given a deadline by which time to file an appeal; there is no need to record this date, the deadline is always 30 days. If the judge doesn't ask about reserving or waiving appeal, check "judge didn't ask". (Unless waived, an appeal is considered reserved, so judges don't always ask). If the Judge did not issue a bond ruling (because request was withdrawn, case was continued of Judge will issue a written decision), this question should be left blank.

ALL HEARINGS

23. Why Resp. in ICE custody- where/when arrested? _____ ☐ Unknown

This question is asking why the person is being detained as opposed to non-detained. How did they come to be in ICE custody? Was it a workplace raid, an intentional arrest, a collateral arrest, a detention upon release from criminal/ police custody. Please add a date or length of time if stated.

24. Pleadings taken today? ☐ Yes ☐ No Comment: _____

Pleadings are responding to the allegations and charge Notice to Appear (NTA) regarding immigration violations. If pro se, the respondent will typically be sworn in and asked to respond to each allegation individually (they are not a citizen of US, they are a citizen of xx country, etc.). If the respondent is represented, the attorney will respond, and will admit or deny factual allegations and concede or deny the charge of removability, but they typically do not read the allegations individually. Add any relevant comments. If the respondent, or their attorney disputes anything in the NTA, please document that.

25. Did Judge screen for eligibility for relief? ☐ Yes, eligible to apply ☐ Yes, **ineligible** for any form of relief ☐ No

After pleadings, the judge will ask a series of questions to determine whether the respondent has any potential legal basis to stay in the country. These questions will include whether the respondent has family members with status in the US, has been a victim of a crime in the US, and/or whether they have a fear of harm if they are returned to their home country. Based on the respondent's answers, the judge will either give the respondent applications to file or determine the respondent is ineligible for any form of relief. If ineligible for relief, the judge will order removal (deportation). Voluntary departure does count as a form of relief.

26. Relief discussed / potentially eligible? ☐ Not discussed

Mark any application or form of relief the respondent requests, the judge states the respondent may qualify for, or the judge asks the jail to provide.

☐ I-589 ☐ Asylum / ☐ WOR / ☐ CAT
Asylum, Withholding of Removal and Deferral under the Convention Against Torture are all on an I-589 application. If any specific form of relief is mentioned, check it.

☐ Cancellation: ☐ 42A (LPR) ☐ 42B
Cancellation of removal. 42A is for legal permanent residents, 42 B is for non-LPR. If you don't know their status, only check the Cancellation box.

☐ Cuban Adjustment Act
This is a quick path to a green card for qualifying Cubans after they've been in the US for at least a year.

This application is submitted to USCIS.

☐ Voluntary Departure
Voluntary departure is discretionary relief based on good moral character, the respondent does leave the country but without a deportation on their record. They must be able to pay the cost of the travel and must have a valid travel document (passport). This is not the same as requesting a deportation.

☐ Adjustment of Status (I-485, I-130)
Adjust status to LPR. They may reference the I-130 that is submitted

to USCIS to establish the relationship to an LPR or US citizen

☐ SIJS/ I-360
Special immigrant juvenile status. The application is submitted to USCIS.

☐ U-Visa or T-Visa
U-visa is for a crime victim, T- visa is for a trafficking victim. These applications are submitted to USCIS.

☐ Waiver (I-601)
Waiver of inadmissibility, it forgives a disqualifying issue.

☐ Other/ unsure: _____

27. Application: ☐ Not Discussed ☐ Offered or given today ☐ Given previously ☐ Filed previously ☐ Atty will file
☐ Unsure ☐ Other Comment: _____

Mark if an application was offered (or a guard was instructed to provide), given previously and not yet filed, was already filed or an attorney states they plan to file an application on the respondent's behalf. If applications were discussed but you don't know the current status, mark unsure. Add details in the comment section. If no discussion of relief applications takes place, mark not discussed.

28. Filings- Did Judge explain ☐ All documents must be in English/translated ☐ Send evidence in original language too
☐ Include translator attestation ☐ Jail will help mail app? ☐ Save copy for self ☐ Unsure ☐ None

Advisals on how to submit applications and evidence are not required of the judges, but they are essential if respondents are going to have their documents accepted. All submissions to the court must be in English. If there is evidence that is in another languages (for example a birth certificate, support letter, news article) a copy of the original must be submitted along with an English translation. The person doing the translation must submit a letter attesting they are qualified in both

languages and that the translation is accurate. They must identify themselves and sign the letter of attestation. Respondents should be instructed that jail staff can provide envelopes and stamps and/or help send the documents. All respondents should be told to save a copy for themselves (because documents often get lost in the mail. Check which of these instructions are given, if any.

29. Was there a mention of, or motion for pretermission? ☐ Yes ☐ No ☐ Unsure

Comment: _____

Pretermission is rejecting/denying an application as legally deficient, without the benefit of a full hearing with testimony and evidence. Did DHS make a motion to pretermit the case? If so, what was said? Did the judge mention pretermission or suggest that the application could or should be pretermitted? What was said and by whom? The judge may say something like "fear of crime, fear of gangs, and kidnapping are not grounds for asylum" or "extortion is not the basis for relief." We are looking for the justification DHS and/or the judge give. We also want to know if the explanation given was understandable to a lay person or were technical or vague terms used? How did the respondent reply?

30. Was there a mention of, or motion for removal under ACA/ Safe 3rd Country ☐ Yes ☐ No ☐ Unsure

Comment: _____

The Asylum Cooperative Agreement, now law, requires some immigrants to apply for asylum in a "safe" 3rd country rather than in US. As of 12/2025, the US has asylum cooperative agreements with Ecuador, El Salvador, Honduras, Guatemala and Uganda and is negotiating them with other countries. If the ACA is invoked and/ or a respondent is told they must apply for asylum in an alternative country, explain what was said, and by whom? Did the respondent reply? Was the threat of a third country removal used to get the respondent to withdraw their original asylum application? Is the respondent told to submit a new application demonstrating a risk of persecution in the "safe 3rd country instead?" Is the respondent offered voluntary departure as an alternative to deportation.

31. Did respondent ask to be deported? ☐ Yes ☐ No If asked for deportation, what did respondent say? _____

It is not uncommon for people to give up due to the difficult conditions of detention. They may pre-emptively ask to be deported rather than continue their case. People often ask for a deportation order when they learn they cannot or will not be released on bond. If deportation was requested, please note what was said by respondent, or by attorney on behalf of the respondent. They may use the word deportation, removal, or say something like "I want to be sent back" or "I'll just sign my papers". Asking for a deportation order is NOT voluntary departure.

32. Today's Outcome: ☐ Case continued ☐ Removal/Deport-Home ☐ Removal/Deport-3rd country ☐ Termination
☐ Dismissal Relief: ☐ Voluntary departure ☐ Waiver ☐ Adjustment of status ☐ Unsure ☐ Other: _____

Any time a new hearing date is given, that means the case is continued (appeal filing dates are not continuances.). If there is a removal/deportation order, note whether it is for their home country or if they are being deported to a "safe" third country. If there is any other outcome it should be stated very clearly: termination, dismissal, or a discretionary grant of voluntary departure, a waiver or adjustment of status. If the judge gives a removal/deportation order because a respondent missed a judge-imposed filing deadline, this is not pretermission or dismissal. It is just a removal order. The judge may explain that they are "deeming the application abandoned". If unsure, mark unsure. For any other outcome, mark "other" and explain.

33. If case continued, next hearing: Date _____ Time _____

Put the next hearing date and time above. Be sure to include the year. You'll use this space for the date of the next hearing whether it's a bond hearing or a removal hearing. If the judge sets two dates- as is often done for the next pro se master calendar hearing a few days prior to a merit hearing- put the second date in the comment section of question #41. Be sure to notify the project staff asap of any merit hearing date.

34. If Judge made final decision did parties reserve appeal? ☐ Not applicable ☐ Check if IJ noted filing fee for appeal

DHS: ☐ Yes ☐ No, waived Respondent: ☐ Yes ☐ No, waived ☐ Judge didn't ask ☐ Unsure

If a case is continued (another hearing set or put into trial queue) you will check "not applicable". If the judge makes a decision in the case—grants relief, including voluntary departure, terminates proceedings, or issues a removal (deportation)

order, either party may appeal the decision. You'll mark if the "losing" party reserves appeal or waives appeal. If the judge simply states a date the appeal would be due but doesn't ask the person if they wish to appeal, you'll mark "judge didn't ask". Unless expressly waived, the right to appeal is reserved, so judges don't always ask. Just because a person reserves the right to appeal doesn't mean they are obligated to file an appeal. If a person waives the right to appeal, they can't change their mind. Appeals have a significant filing fee. Check the box if the judges explains the filing fee.

CRIMINAL HISTORY

35. Arrests or convictions? ☐ Not discussed ☐ No criminal Hx ☐ Has at least one arrest ☐ Has at least one conviction

Comments: _____

For this you should check only one box. Encounters with police, arrests, or convictions might not be discussed at all, in which case mark not discussed. Sometimes it is made clear the respondent has had no encounters with police, if that is true, mark "no criminal Hx (Hx=history)". An arrest by ICE or border patrol simply for crossing the border without permission does not count as a criminal encounter. If you know a respondent has had an encounter with police for a possible criminal matter but that remains pending, or you are unsure of the outcome, mark "has at least one arrest." If the person has any criminal convictions, mark "has at least one conviction". You can briefly explain police encounters or convictions in the comment area. If the state where the respondent was arrested or convicted is noted, please write that in the comment section.

EQUITIES

36. Length of time in the US: _____ ☐ Unknown

Ideally, we'd like this answer written in the form of years, or months if less than a year; 1 year and 6 months would be written 1.5 yrs. If you write down a date (example: entered in 2007), after the hearing, please calculate the number of years between that date and today. If it is noted that someone came at age 9, do your best to estimate the detainees age and write an approximate number of years or write age at entry in the "additional notes" section. Mark "unknown" if the length of time in the US is not discussed. If the person has entered the US more than one time, document the time since the most recent entry. Any additional information can go into the comment section of question #41.

37. Family in the US? ☐ Yes: _____ ☐ No ☐ Unknown

Having family in the US can affect eligibility for relief. The judge may ask about family ties when screening for relief after pleadings. If they have family in the US check "Yes," and if possible, in the space provided, note relationship and immigration status (example: Wife, undocumented, 2 US Cit. children). If it is not discussed, check "unknown". If they are asked and they state no family, mark "no." This question pertains to legal relative; boyfriend, girlfriend, fiancé, don't qualify as family in the legal sense, but you can note these relationships.

38. Supporters in court? ☐ Family ☐ Other supporters ☐ Can't tell ☐ None ☐ Supporters acknowledged

Mark if the respondent had support-people present for the hearing. You may know this because of waving/nodding/smiling, because people come in and leave with the respondent's attorney, or because it is mentioned during the hearing. If you aren't sure if the supporters are family or others, pick your best guess." Can't tell" means you aren't sure whether or not there were supporters for the respondent in the courtroom. If during the hearing it is acknowledged the respondent has supporters in the courtroom, or if they are identified, also mark the box for "supporters acknowledged."

WELLBEING

39. Any concern about mental health, physical illness, or competency? ☐ Yes ☐ No ☐ Unsure

Explain: _____

If there is mention of a mental health problem, physical illness, chronic medical condition, including chemical dependency or if you see or hear something that leads you to question whether the person has mental illness or cognitive impairment (lack of capacity to understand proceedings), please note this. and flag this in your email notifications. Mark "Can't tell" if something seems out of the ordinary, but you don't have a clear sense it is related to mental health/capacity to understand, as opposed to just the stress of proceedings. You are not expected to have expertise. Highlight what is stated or any serious concerns. Don't jump to conclusions, just because a person has a DUI don't try to diagnose them as chemically dependent.

40. Complaints about conditions in detention: _____ ☐ None

Examples of things to document: lack of treatment or evaluation for a mental health or medical condition, inadequate or improper nutrition, lack of hygiene supplies, discrimination, abuse, assault, solitary confinement, lack of access to phone calls or law library, unsanitary conditions.

41. IMPRESSIONS: Use this space for comments, questions, quotes, and impressions

This reflection section is important to our understanding of the impact of observing. Examples of things to comment on: barriers respondents face and how court addresses these; respondent's understanding, courtroom dynamics, impact of detention on respondent, whether court recognizes the humanity and individuality of the respondent, questions you have, quotes that stand out. You may also use this space to elaborate on any previous question on the form. It is helpful if you include the question # you are referring to.

2026 MERITS HEARING SAMPLE FORM

A# _____

1.1.26

2026 Immigration Court Observation - INDIVIDUAL / MERIT Hearing

Date: 1-6-26 Observer: Olivia Observer

1. A#: 180 624 911 ☐ IJ didn't say full A# 2. Country of origin: GT

3. Gender: ☐ Male ☒ Female ☐ Trans/ non-binary ☐ Unsure ☐ Didn't appear, reason: _____

4. Judge (IJ): ☒ Carr ☐ Ivany ☐ Mazzie ☐ Miller ☐ Sardelli ☐ Other: _____ ☐ IJ remote from other court

5. DHS Attorney: Joseph Dietz ☐ Inaudible ☐ Didn't state name on record ☐ Didn't appear

6. Was the respondent represented today? ☐ Yes: name: _____ ☐ No, pro se ☐ Atty failed to appear

7. DOCKET: ☐ Non-detained ☐ IHP (prison) ☒ ICE detention ☐ Unsure Comment: BSB - Sharburne

LANGUAGE

8. Respondent's best language: K'iche

9. Interpreter in best language? ☒ Yes ☐ No, language provided: _____ ☐ N/A - R speak English

10. Did IJ ask attorney to waive interpretation? ☐ Yes ☐ No ☒ N/A Comment: _____

11. Interpretation: ☐ No problems ☒ Problem Comment: DHS kept forgetting to pause for interp.

MERITS

12. Was there a motion to pretermite the case? ☒ Yes ☐ No ☐ Unsure Judge action: ☐ Pretermite/removal order

☒ Hearing proceeds Comment: DHS motion pretermite under matter KAAV, IJ denies sexual assault different than KAAV

13. Was there mention of ACA/ Safe 3rd Country? ☒ Yes ☐ No ☐ Unsure Judge action: ☐ Advise refile app

☐ Removal home ☐ Removal 3rd country ☒ Hearing proceeds Comment: DHS Tried motion to pretermite under ACA to H0 IJ ruled doesn't apply as R not spanish speaker

14. Relief being sought/ application being heard (check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Adjustment of status | <input checked="" type="checkbox"/> I-589: <input checked="" type="checkbox"/> Asylum / <input checked="" type="checkbox"/> WOR / <input checked="" type="checkbox"/> CAT | <input type="checkbox"/> Waiver (I-601) |
| <input type="checkbox"/> Cancellation: <input type="checkbox"/> 42A (LPR) <input type="checkbox"/> 42B | <input type="checkbox"/> Termination | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Cuban Adjustment Act | <input type="checkbox"/> Voluntary Departure | <input type="checkbox"/> Unsure _____ |

15. Comment re: evidence submitted by respondent: hospital report after assault, photo of injury

16. Comment re: evidence submitted by DHS: country conditions report, pretermite motion

17. Testimony/ witnesses- (check all that apply) ☒ Respondent ☐ Family ☐ Country expert
☐ Other supporter ☐ Medical ☐ Mental health

18. Did judge place any constraints on testimony? ☒ Yes ☐ No Comment: states needs time for oral decision all testimony max 1 hr

19. Were there supporters present (court / webex) who did not testify? ☐ Yes, family ☐ Yes, other supporters ☒ No

20. Respondent's entry date/ length of time in the US: July 2023 2.5 yrs ☐ Unknown

21. Does respondent have family in the US? ☐ Yes ☐ No ☒ Unknown If family present, who and what status in US: Daughter age 6 also without status (being cared for by friend)

Background

22. What was said about conditions in home country? indigenous people discriminated against. police corrupt don't protect women or indigenous people. ☐ Not discussed

Criminal history

23. Arrests or convictions? ☐ Not discussed ☒ No criminal Hx ☐ Has at least one arrest ☐ Has at least one conviction

A# 911

1.1.26

Comments: no arrests for criminal activity, only ICE enforcement

Legal argument

24. Describe the main argument of respondent, R's attorney, or witnesses:

not safe for indigenous people. Raped by a neighbor twice. Not safe to go to police - they don't care.

25. Describe the main argument of DHS attorney:

There are laws against rape and govt does prosecute so can't say govt doesn't protect. No written evidence that rape was due to being indigenous. Some cities in GT safer, can relocate

26. Describe main questioning / reasoning of judge:

Focused questions on any possible connection between rape & indigenous status, Not convinced. The US law is specific, can't get asylum just because something bad happened to you

27. Did judge make an adverse credibility or character finding? ☐ Yes ☒ No ☐ Unsure Comment:

Believes R is telling truth, is good person.

Health

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

☐ Bipolar

☐ PTSD

☐ Traumatic brain injury

☐ Chemical dependency

☒ Sexual assault survivor

☐ Other

☐ Cognitive impairment

☐ Schizophrenia

☐ None

☒ Depression/ anxiety

☐ Torture survivor

Comment: Anxious and depressed since assault. Hasn't received treatment.

CONCLUSION

29. Judge's action:

☐ Case continued for testimony

☒ Relief denied- removal order

☐ Voluntary departure

☐ Case continued for oral decision

☐ Relief granted

☐ Unsure

☐ Will issue written decision

Relief type: _____

☐ Other: _____

Comment, include country of removal if relief denied: GT - country of citizenships

30. If continued, next hearing Date: _____

Time: _____

31. If judge made final decision did parties reserve appeal? ☐ Not applicable

☐ Check if IJ noted filing fee for appeal

DHS: ☐ Yes ☒ No, waived Respondent: ☐ Yes ☒ No, waived ☐ Judge didn't ask ☐ Unsure

32. Other comments, impressions, concerns:

R sobbing. I'm scared to go back. It isn't safe. What happens to my daughter? Can she come with me? Judge says "I don't know" talk to ICE officer in jail.

2026 MERITS HEARING ANNOTATED FORM

A# _____

1.1.26

2026 Immigration Court Observation - INDIVIDUAL / MERIT Hearing

If the hearing is convened, even if it can't go forward for technical reasons, no interpreter, or because respondent didn't appear, you will still complete a form so that we can track why the hearing didn't happen. If you observe the opening statements on the record, but the hearing gets closed to observers, you will complete a form. If you are asked to leave, you must do so. In the comment/impression section at the end, please document how the judge explained the presence of observers.

Date: _____ Observer: _____

Format date: mm/dd/yyyy Print your first and last name

1. A#: _____ ☐ IJ didn't say full A# 2. Country of origin : _____

A# is very important. The last three digits are on the posted docket. Attempt to capture all 9 digits the Judge reads into the record. If you are missing a number, use X. Check the box if the Judge didn't say the full A#, ex: "A# ending in..."

*If possible, list the 2 digit code and the full country name. There is a list of frequent country codes in the resource/glossary section of the volunteer manual. If you don't know the name of the country just list the 2-digit code. **Do not google the two-digit country code**; the court uses a unique list which doesn't correspond to what you find on the internet. If there is no country code listed on the docket write "blank on docket".*

3. Gender: ☐ Male ☐ Female ☐ Trans/ non-binary ☐ Unsure ☐ Didn't appear, reason: _____

Assume that if someone is transgender or non-binary, this will be noted during the hearing. Otherwise write male and female according to how they present visually or are referred to in court.

If the respondent doesn't appear, check the box and write the reason. Our biggest concern would be if a respondent is transferred to ICE detention out of this court's jurisdiction or if respondent can't be located.

4. Judge (IJ): ☐ Carr ☐ Ivany ☐ Mazzie ☐ Miller ☐ Sardelli ☐ Other: _____ ☐ IJ remote from other court

Check the box for the judge who conducted the hearings you observed, if other than those listed, check "other" and list the judge's name. Check the box if a judge is appearing from another jurisdiction.

5. DHS Attorney: _____ ☐ Inaudible ☐ Didn't state name on record ☐ Didn't appear

A list of the government attorneys' names is in the resources/glossary section of the volunteer manual. There is a lot of turnover; if the name isn't listed, do your best to approximate the name. If it was stated but you couldn't understand, mark "inaudible", if the judge didn't state the name or ask the DHS attorney to state their name, mark "didn't state name on record", if there was no DHS attorney for the hearing, mark "didn't appear". You do not need to document whether the DHS attorney appeared in person or remotely.

6. Was the respondent represented today? ☐ Yes: name: _____ ☐ No, pro se ☐ Atty failed to appear

If the respondent does not have an attorney for the observed hearing, they are pro se. On a rare occasion an attorney will fail to appear. This is a breach, and the judge will typically note it. The name of the attorney is useful if it is stated. It may not be the person listed on the docket, sometimes it is a law partner.

7. DOCKET: ☐ Non-detained ☐ IHP (prison) ☐ ICE detention ☐ Unsure Comment: _____

When you sign up for a merit hearing, the shift description will explain whether the person is in ICE detention, on the IHP docket-in prison, or non-detained. If the person is in prison or in an ICE facility the judge may state the detention facility or prison, write that location name in the comment section.

LANGUAGE

8. Respondent's best language: _____

What language does the respondent speak and understand the best? This should be established during master calendar hearings and will appear on the posted docket.

9. Interpreter in best language? ☐ Yes ☐ No, language provided: _____ ☐ N/A – R speak English

If the hearing is conducted in the language the respondent speaks and understands best, mark yes. Sometimes the hearing will be conducted in a language other than the preferred language, most often when someone speaks an indigenous

language, and the hearing is conducted in Spanish. In this case you'd mark no and list the language that was provided. If the respondent's best language is English check the box that says N/A= R speaks English.

10. Did IJ ask attorney to waive interpretation? ☐ Yes ☐ No ☐ N/A Comment: _____

When the respondent has an attorney, it is not uncommon for the judge to ask the attorney to waive interpretation. Attorneys are under pressure to consent in deference to the judge. This speeds up the hearing, but deprives the respondent full access to the hearing. If the judge asks, state in the comment area if the attorney consented to waive and a brief note about whether any interpretation of substance was provided.

11. Interpretation: ☐ No problems ☐ Problem Comment: _____

If there are no technical problems, an interpreter was easily available, and interpretation was complete mark "no problem." If there are any problems: had to call multiple language lines, couldn't hear, not all conversation was interpreted, dropped calls, unprofessional interpretation, confusion etc., mark "problem" and explain in the comment section.

MERITS

12. Was there a motion to pretermit the case? ☐ Yes ☐ No ☐ Unsure Judge action: ☐ Pretermit/removal order

☐ Hearing proceeds Comment: _____

Pretermission is rejecting/denying an application as legally deficient, without the benefit of a full hearing with testimony and evidence. While most pretermission motions are happening in master calendar hearings, we are seeing them at individual merit hearings, often as soon as the judge goes on the record, explains who present and what evidence has been submitted. Did DHS make a motion to pretermit the case? If so, what was said? Does the judge grant the pretermission motion or not. If granted the judge issues a removal order. If the judge denies the motion, the hearing should proceed. In granting the pretermission motion, the judge may say something like "fear of crime, fear of gangs, and kidnapping are not grounds for asylum" or "extortion is not the basis for relief." We are looking for the justification DHS and/or the judge give. We also want to know if the explanation given was understandable to a lay person, or were technical or vague terms used? How did the respondent reply?

13. Was there mention of ACA/ Safe 3rd Country? ☐ Yes ☐ No ☐ Unsure Judge action: ☐ Advise refile app

☐ Removal home ☐ Removal 3rd country ☐ Hearing proceeds Comment: _____

The Asylum Cooperative Agreement, now law, requires some immigrants to apply for asylum in a "safe" 3rd country rather than in US. As of 12/2025, the US has asylum cooperative agreements with Ecuador, El Salvador, Honduras, Guatemala and Uganda and is negotiating them with other countries. If the ACA is invoked and/ or a respondent is told they must apply for asylum in an alternative country, explain what was said, and by whom? Did the Judge make an immediate ruling? The judge may give the respondent an opportunity to refile an application demonstrating a fear of persecution in the 3rd country, if so, check "advise refile app.". The judge might pretermit (deny the application) and deport the person to their home country (place of citizenship), or the judge can issue a deportation to that "safe" 3rd country. The judge could deny the motion and let the hearing proceed as scheduled. Mark the appropriate box. The judge can also use the threat of a third country removal to get the respondent to withdraw their original asylum application, in this case you'd mark "removal home". Please elaborate in the comment area. If there is a 3rd country removal, write the country in the comment section. If the judge offers voluntary departure as an alternative to deportation, you'd write that in the comment section above and check "Voluntary Departure in question 14 below.

14. Relief being sought/ application being heard (check all that apply)

☐ Adjustment of status

Adjust status to LPR/ legal permanent resident (aka green card holder)

☐ Cancellation: ☐ 42A (LPR) ☐ 42B
Cancellation of removal. 42A is for legal permanent residents, 42 B is for non-LPR. If you don't know their status, only check the Cancellation

box.

☐ Cuban Adjustment Act

This is a quick path to a green card for qualifying Cubans after they've been in the US for at least a year. This application is submitted to USCIS.

☐ I-589: ☐ Asylum / ☐ WOR / ☐ CAT

Asylum, Withholding of Removal and Deferral under the Convention Against Torture are all on an I-589 application. If any specific form of relief is mentioned, check it.

☐ Termination

Termination ends removal proceedings; it is a determination by

A# _____

1.1.26

the judge that the person doesn't meet the grounds for deportability.

☐ **Voluntary Departure**

Voluntary departure is an alternative to deportation. The respondent does leave the country but without a deportation on their record. It is discretionary relief from a judge, requiring the respondent to be of

good moral character. The respondent must be able to pay the cost of the travel and must have a valid travel document (passport). The respondent is given a deadline by which they need to pay, provide travel documents or the voluntary departure will convert to a removal order.

☐ **Waiver (I-601)**

Waiver of inadmissibility, it forgives a disqualifying issue.

☐ **Other** _____

Any other form of relief/application mentioned.

☐ **Unsure** _____

15. Comment re: evidence submitted by respondent: _____

The judge will usually discuss what evidence was submitted into the record and by whom. Sometimes a respondent submits nothing but an application. Note if any country conditions reports, support letters, expert opinions etc. are submitted.

16. Comment re: evidence submitted by DHS: _____

As above, note what DHS submitted into evidence besides the NTA and I-213.

17. Testimony/ witnesses- (check all that apply)

☐ Respondent

☐ Family

☐ Country expert

☐ Other supporter

☐ Medical

☐ Mental health

Who gave testimony and what was their expertise or relationship to respondent? You can also check the box for anyone who submitted written statement, reports or affidavits.

18. Did judge place any constraints on testimony? ☐ Yes ☐ No Comment: _____

At the outset, did the judge place time limits on testimony, state that testifiers wouldn't be able to speak and would be limited to the submitted written testimony, or state that a specific amount of time would be reserved for an oral decision. Did you feel that these constraints, if any, affected the respondent's rights or impacted the outcome?

19. Were there supporters present (court / webex) who did not testify? ☐ Yes, family ☐ Yes, other supporters ☐ No

The judge will usually acknowledge everyone present at a merit hearing. If it wasn't expressly stated, use your best judgement about who came to support the respondent.

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

Ideally, we'd like this answer written in the form of years, or months if less than a year; 1 year and six months would be written 1.5 yrs. If you write down a date (ex: entered in 2007), after the hearing, please calculate the number of years between that date and today. If it is noted that someone came at age 9, do your best to estimate the detainees age and write approximate number of years or write age at entry question 32. Mark "unknown" if the length of time in the US is not discussed. If the person has entered the US more than one time document the time since the most recent entry. Any additional information can go into the comment section of question 32.

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

If they are asked and they state no family, mark "no". If they have family in the U.S. check "Yes", and if possible, in the space provided, note relationship and status (ex: Wife, undocumented, 2 US Cit. children).

Background

22. What was said about conditions in home country? _____

☐ Not discussed

This may be discussed in terms of why they left, and/ or current conditions and why they fear return. Briefly summarize, don't try to transcribe everything said.

Criminal history

23. Arrests or convictions? ☐ Not discussed ☐ No criminal Hx ☐ Has at least one arrest ☐ Has at least one conviction

Comments: _____

For this you should check only one box. Encounters with police, arrests, or convictions might not be discussed at all, in which case mark not discussed. Sometimes it is made clear that the respondent has had no encounters with police, if that is true, mark "no criminal Hx (Hx=history)." An arrest by ICE or border patrol simply for crossing the border without permission does not count as a criminal encounter. If you know that a respondent has had an encounter with police for a possible criminal matter but that remains pending, or you are unsure of the outcome, mark "has at least one arrest". If the person has any criminal convictions, you will mark "has at least one conviction". You can briefly explain police encounters or convictions in the comment area. If the state where person was arrested or convicted is noted, please write that in the comment section.

Legal argument

For the following three questions we do not want a "transcript" and it is not necessary to quote any statute or case law. We want a summary of the main points each party is making.

24. Describe the main argument of respondent, R's attorney, or witnesses: _____

25. Describe the main argument of DHS attorney: _____

26. Describe main questioning / reasoning of judge: _____

27. Did judge make an adverse credibility or character finding? ☐ Yes ☐ No ☐ Unsure Comment: _____

In rendering a decision or making comments prior to issuing a written decision, the judge will likely make statements about the respondent's credibility. They will address whether they think the person is telling the truth, being consistent in their testimony and whether their testimony is consistent with the information in the submitted application and evidence. Negative statements would mean an adverse credibility finding. For forms of relief that are discretionary (asylum, cancellation), the judge must decide that the good in the person outweighs any negative thing the person has done. This is what is meant by a character finding. The judge will usually outline the good vs the bad in explaining their decision-making. Strong family ties or suffering the family will endure if the person were to be deported usually weigh in favor the respondent. This question is asking if the judge made a negative determination about the respondent's character or credibility. Explain in the comment section and add whether you agree.

Health

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Bipolar | <input type="checkbox"/> PTSD | <input type="checkbox"/> Traumatic brain injury |
| <input type="checkbox"/> Chemical dependency | <input type="checkbox"/> Sexual assault survivor | <input type="checkbox"/> Other |
| <input type="checkbox"/> Cognitive impairment | <input type="checkbox"/> Schizophrenia | <input type="checkbox"/> None |
| <input type="checkbox"/> Depression/ anxiety | <input type="checkbox"/> Torture survivor | |

Comment: _____

What conditions were mentioned by any party during the hearing? We are not asking you to make inferences. This question is asking about what is mentioned by any party during the hearing. We are particularly concerned about mental health and competency to understand proceedings, but you may note significant medical issues also.

CONCLUSION

29. Judge's action:

- | | | |
|---|---|--|
| <input type="checkbox"/> Case continued for testimony | <input type="checkbox"/> Relief denied- removal order | <input type="checkbox"/> Voluntary departure |
| <input type="checkbox"/> Case continued for oral decision | <input type="checkbox"/> Relief granted | <input type="checkbox"/> Unsure |
| <input type="checkbox"/> Will issue written decision | Relief type: _____ | <input type="checkbox"/> Other: _____ |

The case concludes if a decision is made (relief or removal). If the judge is granting relief write in the type of application that was granted. If several applications were submitted and you aren't sure what was granted, check the box "relief granted" and in the "relief type" area, write "unsure". If the judge grants voluntary departure (a discretionary form of relief) mark that box rather than writing it into the blank "relief type" spot. If the judge states they are going to issue a written decision, check that. If the judge is going to reconvene on another date, mark the box with the reason- either for more testimony/cross examination/ or to issue an oral decision. If the judge is going to issue an oral decision s/he will often state their conclusion at the initial merit hearing. The decision isn't final until the oral decision is dictated in court. You'll mark "case cont'd for oral decision", you can write about the judge's decision/comments in the space below. If you aren't sure what was decided mark unsure.

Comment, include country of removal if relief denied: _____

If the respondent gets a deportation order to a country that is not the country of citizenship write the country of removal. This is most likely under provisions of the Asylum Cooperative Agreement but can also happen in cases where the respondent is a dual citizenship or also has legal permanent residence status.

30. If continued, next hearing Date: _____ Time: _____

If the case is continued to another date for any reason, note the date, and the time if given. If for any reason the judge doesn't announce a date, leave blank and put explanation in comment section, question #33.

31. If judge made final decision did parties reserve appeal? ☐ Not applicable ☐ Check if IJ noted filing fee for appeal

DHS: ☐ Yes ☐ No, waived Respondent: ☐ Yes ☐ No, waived ☐ Judge didn't ask ☐ Unsure

If a case is continued for further testimony or deliberation, you will check "not applicable". After the judge issues a final decision, DHS and the respondent will typically be asked if they wish to reserve appeal. They will either state yes, they reserve appeal or no, they waive the right to appeal the decision. If they reserve appeal, they will be given a deadline by which time to file an appeal; there is no need to record this date, the deadline is always 30 days. If the judge doesn't ask about reserving or waiving appeal, check "judge didn't ask". Unless waived, an appeal is considered reserved, so judges don't always ask. Just because a person reserves the right to appeal doesn't mean they are obligated to file an appeal. If a person waives the right to appeal, they can't change their mind. Appeals have a significant filing fee. Check the box if the judges explains the filing fee.

32. Other comments, impressions, concerns:

A# _____

1.1.26

You can use this space to highlight important dynamics, quotes, and impressions. You may also use this space to elaborate on any previous question on the form. It is helpful if you include the question # you are referring to. This reflection section is also important to our understanding of the impact of observing. Explain whether and how the judge states that observers are present and whether the respondent is asked to consent. Is it a positive neutral or negative statement? Explain if any party objects to having observers present. If not allowed to enter the courtroom, who informed you of the decision and what was said.

2026 NON-DETAINED MASTER CALENDAR HEARING SAMPLE FORM

1.1.2026

2026 Non-Detained Master Calendar Hearings- Immigration Court Observation

1. Date: 1-5-26 2. Observer (first last): Olivia Observer 3. Shift start time: ☒ 8:30 ☐ 10:00 ☐ 1:30
 4. # of people on docket: morning: 32 afternoon: 37 Redacted names: morning: 0 afternoon: 14
 5. Judge: ☐ Carr ☒ Miller ☐ Sardelli ☐ Other: Hackworthy
 6. DHS Atty: Hackworthy
 7. Access problems: ☐ locked at start time ☒ hearings started before admitted ☐ confidential sign ☐ no break at stated break time ☐ no space
☐ asked to leave for closed case ☐ other: locked out of webex hearings

8. Hearings (family/couple heard together= 1)

| Web or I-P | Pro Se or Rep | Gender Or Family | A # (Lead case) | Lang | Time in US | Country | Application given / filed AND type | Motion to dismiss | Motion to prepermit | HAAC or ACA (CIGM) applicable | Outcome: Dismiss, Prepermit, Continue, VD, Removal-Home, Removal-3rd country (which) | Exit time |
|------------|---------------|------------------|-----------------|-------------|------------|---------|------------------------------------|-------------------|---------------------|-------------------------------|--|-----------|
| 1 | IP | Pro Se | Fam | 245-006-122 | SP | ? | EC | filed asylum | | Yes | prepermit + removal | 9:15 |
| 2 | IP | Pro Se | M | 245-822-184 | SP | 146m | VE | filed asylum | Y | | Dismissed | 9:22 |
| 3 | IP | Pro Se | M | 245-198-221 | SP | ? | ES | ? | Y | | Dismissed | 9:40 |
| 4 | IP | Pro Se | Fam | 288-204-337 | SP | ? | NU | filed asylum | | | Continued 9.8.26 | 9:50 |
| 5 | IP | Pro Se | F | 245-679-401 | SP | 243m | CO | No | | | Continued 9.8.26 | 9:57 |
| 6 | IP | Pro Se | M | 920-106-640 | SP | 3y | EC | filed asylum | | Yes | voluntary departure (withheld asylum app) | 10:01 |
| 7 | IP | Pro Se | F | 245-728-645 | SP | ? | GT | filed asylum | | Yes | Continued 4.1.26 (permit denied) | 10:15 |
| 8 | IP | Pro Se | Fam | 920-471-722 | CCE | 6m | HA | given app 1589 | | | Continued 9.8.26 | 10:25 |
| 9 | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | |
| 11 | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | |

9. If there were dismissal motions, how did the judge explain dismissal and its consequences? DHS said circumstances have changed. IJ says "I don't get to decide which cases come before me." "The government(ICE) may remove you."

10. How did the judge explain premermission and its consequences? #122 crime & extortion not grounds for asylum, removal, you can appeal. #640 NO asylum in US must apply HO or withdraw app & I'll grant VD. #645 giving chance to refuse & claim harm in GT or will premermit (denial) & remove next hearing

11. If any respondents reserved appeal or were given an appeal deadline, did the judge mention the fee associated with an appeal? ☐ Yes ☒ No ☐ Unsure

Comment: #122 given appeal date, no mention fee.

12. Comments about judge: Clinical explanations don't think anyone understood. Patient with noisy kids. Sometimes hard to hear.

13. Comment about DHS attorney: moved to dismiss everyone unless it was initial hearing < 1 yr and want time to find atty.

15. Was there an ICE agent in court? Check all that apply ☒ Yes ☐ No ☐ Unsure ☒ Plain clothes ☐ Identification as ICE ☒ Texting ☒ Sitting in back

☐ Sitting with DHS ☒ In courtroom before others allowed ☐ Other/comment: chatting w/ court staff at 8am, let into courtroom 8:15 am

20. No-shows: (each A# counts as 1 regardless of family configuration) ☒ was asked to leave before no shows reviewed ☐ Cases still going when I left

Number of No-shows: _____ No-shows reset: _____ No-shows In absentia removal: _____

21. Additional comments, questions, quotes, changes: They finished all cases by 10:25. Not sure how many on webex but I'm guessing 10-20 no shows but they wouldn't let me stay. Lobby observer told me they saw 2 arrests while I was in court. sampler waiting room,

Annotated- 2026 Non-Detained Master Calendar Hearings- Immigration Court Observation

Documenting for non-detained masters is significantly different than detained masters. You will complete one form per shift rather than one form per respondent/hearing.

1. Date: _____ 2. Observer (first last): _____ 3. Shift start time: ☐ 8:30 ☐ 10:00 ☐ 1:30

Format date: mm/dd/yyyy

Print your first and last name

Mark the start time that best correlates to your shift

4. # of people on docket: morning: _____ afternoon: _____ Redacted names: morning: _____ afternoon: _____

Record the number of people on the docket for the morning and afternoon regardless of which shift you are observing. Record the number of names that are redacted (blank or whited-out) for the morning and afternoon.

5. Judge: ☐ Carr ☐ Ivany ☐ Miller ☐ Sardelli ☐ Other: _____ ☐ IJ remote from other court 6. DHS Atty: _____

Check the box for the judge who conducted the hearings you observed, if other than those listed, check "other" and list the judge's name. Check the box if a Judge is appearing from another jurisdiction, whether in person or via Webex.

A list of the government attorneys' names is in the resources/glossary section of the volunteer manual. There is a lot of turnover; if the name isn't listed, do your best to approximate the name. The name of the government attorney is not always stated, if this happens you can write "not stated;" if stated but you couldn't hear, write "inaudible."

7. Access problems : ☐ Locked at start time ☐ Hearings started before admitted ☐ Confidential sign ☐ No break at stated break time ☐ No space
☐ Asked to leave for closed case ☐ Other: _____

We are increasingly being denied access to courtrooms. Please check all problems you encounter. Check "locked at start time" if the door is not unlocked at 8:30 or 1:30. Check "hearings started before admitted" if you can hear proceedings through the door, inquire and are told you can't enter yet. Often these will be hearings conducted on Webex. Check "confidential sign" if the judge has a sign on the door saying court is closed because of the confidential nature of the hearing". If you are aware of the sign on the door despite several unrelated respondents in the courtroom, please document that in the comment area. "No break at stated break time" means the judge has announced a break time or posts a sign about a break time, but doesn't take a break at the announced time, thus impeding entrance or exit from the court. "No space" means you are told there isn't room in the court, whether or not it is actually true. "Asked to leave for closed case" means you are in the courtroom and told to exit for a case of a sensitive nature. Document in the comment area if you are allowed back in after the case or left in the waiting area.

8. Hearings (family/couple heard together= 1)

You will document the hearings you observe. If you observe a family case (any combination of related people) you only need to list the details for one person. You can fill out the grid for all cases you hear, or you can fill out the grid only for cases where prepermission or dismissal are discussed. Because you won't know what is going to happen at the outset, it is recommended you document the A#, gender, language etc. for all cases at the outset, and complete the grid if there is a motion for, or a discussion of, dismissal or prepermission. Some observers will find it easier to complete the grid for each hearing regardless of content/outcome. You can use a second form if you observe more than 12 hearings. If cases are continued, include the next hearing date in the outcome column. You will need to get the country code from the posted docket if it is not stated in court. See grid for an example. Further explanations of the column headings are found below the grid.

| Web or I-P | Pro Se or Rep | Gender Or Family | A # (Lead case) | Lang . | Time in US | Country | Application given / filed AND type | Motion to dismiss | Motion to premit | HAAV or ACA (CIGM) applicable | Outcome: Dismiss, Pretermit, Continue, VD, Removal-Home, Removal-3 rd country (which) | Exit time |
|------------|---------------|------------------|-----------------|--------|------------|---------|------------------------------------|-------------------|------------------|-------------------------------|--|-----------|
| 1 | IP | Pro | 123456789 | SP | ? | EC | Filed Asylum | | Yes | HAAV | Didn't rule, case continued to 7.1.26 | 1:50 |
| 2 | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | |

Web or I-P: did they appear via Webex or were they in person at court?

Pro Se or Rep: were they pro se today, or were they represented by an attorney?

Gender or Family: If the hearing is for one person list gender: Male=M, Female=F, Trans=T, Non-binary= NB. If it is any combination of related people: 2 adults, parent and child, siblings, write Fam- # of people.

A# write the A# for the lead case, if known, any full A# is acceptable. If you have room, you can also write the last 3 digits of the other family members, but it isn't necessary.

Lang= Language: What language does the respondent speak?

Time in US: How long have they been in the US? Can write years and months. If unknown, enter a question mark.

Country: Use the two-digit country code off the docket

Application given / filed AND type: Write "given" if judge gives an application today or gave one previously but it hasn't been submitted. Write "filed" if application is filed today or was filed previously. Write the type of application, for example "filed/ asylum." If unknown, enter a question mark.

Motion to dismiss: Write "Yes" if DHS makes a motion to dismiss, can write no or just leave blank if there is no dismissal motion.

Motion to pretermit: Write "Yes" if DHS makes a motion to pretermit. If the judge, without a motion from DHS, states they are pretermitting or that they may pretermit at a next hearing, write "IJ-Yes" or "IJ Next."

HAAV or ACA (CIGM) applicable: If the Matter of H-A-A-V or the ACA (sometimes noted as the Matter of C-I-G-M) is a stated reason for pretermission, note which is said.

Outcome: Write the outcome-what the judge decided or ordered. Options:

- Case continued to refile application,
- Case continued, motion (for dismissal or pretermission) denied
- Case continued (no motions for dismissal or pretermission)
- Dismissal of case
- Pretermission with removal order to home country
- Pretermission with removal order to 3rd country
- Removal order other reason
- Voluntary departure with withdrawal or application
- Voluntary departure, case pretermitted

- Voluntary departure no application filed
- Unsure
- Other

9. If there were dismissal motions, how did the judge explain dismissal and its consequences? _____

If there is any mention of dismissals, answer the question. If not, write "not applicable." If DHS makes a motion to dismiss a case, write how the judge explains dismissal motions, makes any statement about discretion to grant or deny a motion, asks the respondent to comment before ruling or explains the consequences of a dismissal and what happens next. Document whether the judge states or implies the person may be arrested upon leaving the courtroom. You do not need to document the dialog of each dismissal if there are multiple dismissals, just summarize or paraphrase an example.

10. How did the judge explain pretermission and its consequences? _____

If there is any mention of pretermission, answer the question. If not, write "not applicable." We want to document how the judge explains pretermission. You can also document pretermission motions by DHS. What grounds for pretermission are stated? Example: Matter of H-A-A-V states that extortion, gangs, crime are not grounds for asylum. The ACA- Asylum Cooperative Agreement, requires removal to a "safe" third country to file for asylum and bars the respondent from having their case heard. Otherwise, they must resubmit an application demonstrating fear of persecution in the "safe" 3rd country. As of 12/2025, the US has asylum cooperative agreements with Ecuador, El Salvador, Honduras, Guatemala and Uganda and is negotiating them with other countries. Is the judge warning about pretermission at a subsequent hearing, or ruling today?

11. If any respondents reserved appeal or were given an appeal deadline, did the judge mention the fee associated with an appeal? ☐ Yes ☐ No ☐ Unsure

Comment: _____

If the judge dismisses a case (grants the dismissal motion), pretermits a case and issues a removal order based on pretermission or any other reason, the judge should ask if the respondent wishes to reserve appeal. Alternatively, the judge may ask if the respondent objects to the judge's decision and if the respondent does object, the judge may just give an appeal deadline. There is a significant fee to file an appeal; we want to know if the judge explains anything about the cost to file an appeal. If so, what is said and how does the respondent reply?

12. Comments about judge: _____

This is for any comments about the judge- their demeanor, the clarity of their explanations, the tone they set in the courtroom, whether they present themselves as neutral arbiters, whether they seem to know the law, whether they recognize the humanity of the respondents. You can also write a quote of something the judge said that was striking.

13. Comment about DHS attorney: _____

This is for any comments about the DHS attorney- their demeanor, whether they actively participated, whether they seemed to know details of the case, the uniqueness or repetitiveness of their motions or comments, whether they seem to know the law, whether they recognize the humanity of the respondents. You can also write a quote of something the DHS attorney said that was striking.

14. Was there an ICE agent in court? Check all that apply: ☐ Yes ☐ No ☐ Unsure ☐ Plain clothes ☐ Identification as ICE ☐ Texting ☐ Sitting in back

☐ Sitting with DHS ☐ In courtroom before others allowed ☐ Other/ comment: _____

In general, the way to identify ICE agents is they are allowed in the court room before observers and respondents, and they are texting during the hearings without being chastised. They typically are plain clothed, casual, sitting in the back of the court. But this isn't always true. If you suspect there are ICE agents in the courtroom, please check all the boxes that apply. If you witness communication or collaboration between ICE agents and the DHS attorney or court staff, please note what happened.

15. No-shows: (each A# counts as 1 regardless of family configuration) ☐ Was asked to leave before no shows reviewed ☐ Cases still going when I left

Number of No-shows: _____ No-shows reset: _____ No-shows In absentia removal: _____

The judge will typically review all the cases on the docket for which the respondent did not attend their hearing in person or on Webex. We refer to these as "no-shows." The judge must decide whether to reset the case, meaning set a new hearing date, or to order the respondent removed in absentia, meaning deported in their absence. The judge and DHS attorney will cite each case, make sure the NTA is filed, the hearing notice was properly sent, and the I-213 is uploaded. Then DHS will make a motion to remove in absentia or reset, and the judge will make a decision. If the hearings are done for the day and your shift isn't over, you are asked to stay for the no-show adjudication. Increasingly we are seeing judges tell observers they must exit before they do the no-shows. There is no legitimate privacy concern with no-shows, so we want to document when this happens. Mark "Was asked to leave before no-shows reviewed" if you are not allowed to stay. If your shift is over and they are still hearing cases, mark "Cases still going when I left." The number of no-shows equals the A#s that are read. A family of 4 people is counted as 4 no-shows. Because some cases on the posted docket get resolved prior to going on the record, you can't calculate no-shows just by subtracting the cases you hear from the number of cases on the docket.

16. Additional comments, questions, quotes, changes: _____

This reflection section is important to our understanding of the impact of observing. Examples of things to comment on: barriers respondents face and how court addresses these; respondent's understanding, courtroom dynamics, impact of detention on respondent, whether court recognizes the humanity and individuality of the respondent, questions you have, quotes that stand out.

LOBBY SHIFT SAMPLE DOCKET REPORT

1.1.2026

Lobby Shift - DOCKET REPORT

Observer Name: Olivia Observer Date: 1-6-28

| | | Judge | Hearing type* Individual: Det or N-D; Master: Det or N-D | # of masters or times of indiv. merit | # names redacted | # names w @ sign |
|-------------|----|----------|---|--|---------------------|---------------------|
| | | | | | | |
| Courtroom 1 | AM | Sardelli | Master N-D | 35 | 0 | 0 |
| | PM | Sardelli | Master N-D | 37 | 0 | 6 |
| Courtroom 2 | AM | Miller | Master N-D | 28 | 14 | 13 |
| | PM | Miller | Ind N-D | 1:30 | 1 case 4 names | 1 case 4 names |
| Courtroom 3 | AM | | | | | |
| | PM | | | | | |
| Courtroom 4 | AM | Carr | Ind N-D / Ind Det | 8:30 10:30 | 1 | 1 |
| | PM | Carr | Ind N-D | 1:30, 3:00, 3:30, 4:00 | 1 case 3 names | 1 case 3 names |
| Courtroom 5 | AM | Ivany | Master Det | 13 | 2 | 1 |
| | PM | Ivany | Master Det | 12 | 0 | 1 |
| Webex Only | AM | Hansen | Ind N-D | 8:00 | 0 | 0 |
| | PM | | | | | |

* SEE INSTRUCTIONS AND EXAMPLES ON BACK

Date: 1-8-26 Observer: Olivia Observer Judge: Miller 2026

| Start Time | Dkt # | H Loc | NAME (last, first, middle initial) | A# (include @, if any) | H/C type | Prev Adj | Nat= Country | Rep -Attorney | Lang |
|------------|-------|-------|------------------------------------|------------------------|----------|----------|--------------|---------------------------|------|
| 8:30 | 1 | BSB | Mora-Baltran, Jose R | | I | NA | EC | | Sp |
| | 2 | | Medina Caluna, Luis J | 142 | I/B | NA | EC | Rattowski Nico (OP)(cy) | |
| | 3 | | Flores - Aguilar Javier A | @ 279 | A | OI | MX | | |
| | 4 | | _____ | @ 298 | A | OI | NU | | |
| 10:30 | 5 | BL5 | Ayodele, Daniel F | 450 | I | NA | NI | | Eng |
| | 6 | | Gomez- Tadeo, Elmer | 466 | I | | GT | | Qui |
| | 7 | | Pardilla - Sarango, Manuel S. | 600 | A/B | OI | EC | Anderson III, Thomas (cy) | Sp |
| | 8 | | Torres - Urbina, Leonardo | 721 | A | | VE | | |
| | 9 | | Rojas Palma, Yohan R. | 916 | A | | VE | | |
| 1:30 | 10 | BLG | _____ | @ 421 | A | | MX | | |
| | 11 | | Mohamed, Abdi A | 535 | I | NA | SO | | Sam |
| | 12 | | Omar, Ahmed M | 811 | A | 4F | SO | | Sam |
| | 13 | | Morente - Cardona, Johnny | 862 | A | OZ | GT | Miller, Maria (OP) | S |
| | 14 | | Singh, Ankit | 941 | A | OI | IN | | Pun |
| 3:30 | 15 | BSB | Fernandez - Cruz, Denis | 216 | ICFR | NA | NU | | Sp |