

A# \_\_\_\_\_

January 1, 2026

**Immigration Court Observation -Competency (M-A-M) Hearing 2025/2026**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Observer (full name): \_\_\_\_\_

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

3. Gender: ☐ Male ☐ Female ☐ Transgender/ non-binary4. Judge: ☐ Carr ☐ Ivany ☐ Mazzie ☐ Miller ☐ Sardelli Other: \_\_\_\_\_5. DHS Attorney: \_\_\_\_\_ ☐ Not present6. Was respondent represented? ☐ No, pro se ☐ Yes ☐ Attorney failed to appear Atty Name: \_\_\_\_\_7. Docket/ Location: ☐ IHP (prison) ICE det.: ☐ Freeborn ☐ Kandiyohi ☐ Unknown ☐ Other: \_\_\_\_\_

8. Respondent's best language: \_\_\_\_\_

9. Did court find interpreter in R's best language?: ☐ Yes ☐ No If no, what language provided? \_\_\_\_\_10. Interpretation issues : ☐ None ☐ Incomplete ☐ Technical problems ☐ Unable to find ☐ Not in best language  
☐ Attorney waived Comment: \_\_\_\_\_**INTRODUCING PROCEEDINGS**

11. How did the judge explain the purpose of the hearing? \_\_\_\_\_

12. Did the judge ask respondent for consent to have an observer present? ☐ Yes ☐ No ☐ Unsure If yes, what was said? \_\_\_\_\_13. Did the judge mention "third party notification" (TPN)? ☐ Yes ☐ No ☐ Unsure14. Were you informed re: TPN for this case? ☐ court observers filed ☐ attorneys filed ☐ unsure ☐ no**COMPETENCY ASSESSMENT**

15. Interview-- For each of the issues the judge might inquire about, as noted in the following grid, use the scale below to denote the respondent's ability to answer:

NA=Not asked

1= Respondent refused or unable to answer question

2= Respondent knew some but not most info, gave conflicting answers, contradicted self

3= Respondent could answer about half, or seemed clear on some but unable on others. Midway between 1 and 5

4= Respondent knew answers but had hesitation or doubt, could answer but needed questions repeated, answered questions but also gave extraneous information

5= Respondent answered questions confidently, consistently, and accurately

	1	2	3	4	5	N/A
a. Biographic data (date and place of birth, current age, when and how entered US, location of family members)						
b. Current or past medications for mental or emotional health; evaluation or treatment for mental or emotional health						
c. Respondent's education						
d. Respondent's understanding of interpreter and questions						
e. Respondent's criminal history (arrests, trials, convictions, sentences, time served)						
	1	2	3	4	5	N/A

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f. Respondent's current situation- where and why detained, purpose of proceedings.						
g. Role of Judge and DHS, understand relief application and the principle of evidence						

16. Comment on any of the above: \_\_\_\_\_

17. Were there other questions you think the judge should have asked? ☐ Yes ☐ No ☐ Unsure

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

18. Did DHS mention medical records they provided or requested? ☐ Yes ☐ No ☐ Unsure Comment: \_\_\_\_\_19. Did you observe any of the following **possible** indicia (signs) of incompetence?

	Yes	No	??	N/A
a. Constant interrupting				
b. Confusion/ incoherence				
c. Inappropriate behavioral response: laughing inappropriately, angry outburst, crying uncontrollably				
d. Agitation				
e. Rambling speech, not answering questions asked				
f. Statements about mind not working report of memory lapses				
g. Respondent hung up on judge, refused to answer				
h. History of psychological evaluation, medication, treatment, hospitalization				
i. Report of documented head injury				
j. Drug or alcohol abuse history				
k. Auditory or visual hallucinations past or current				
l. Special education in school				
m. Altered state of consciousness				
n. Repeatedly asking for question to be repeated or clarified				

20. Comment on any of the above, or other signs noted: \_\_\_\_\_

**CONCLUSION**21. Judge's decision: ☐ Competent ☐ Will order forensic (outside) evaluation ☐ Will order & review medical records  
☐ Will issue a decision later ☐ Incompetent- will order safeguards &/or appoint counsel ☐ Unsure

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

22. Were specific safeguards discussed? ☐ Yes ☐ No ☐ Unsure Comment: \_\_\_\_\_23. Next hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ No date given24. **Additional Comments:** \_\_\_\_\_