

Human Rights Defender Project: Court Observation -MERITS Hearing

Date: _____ Observer (full name): _____

GENERAL

1. Last 3 digits of A#: _____ 2. Country of origin : _____
3. Gender: Male Female Transgender/ non-binary
4. Respondent Appears: In Person Video Phone/audio Didn't appear, reason: _____
5. Judge: Carr Hansen Mazzie Miller Sardelli Wood Other: _____
6. DHS Attorney: _____ In person Phone/Audio Video
7. Was respondent represented? In person Phone/Audio Video No, pro se Attorney failed to appear
- Comment: _____

8. DOCKET

Non-Detained IHP (prison) ICE detention: Freeborn Sherburne Kandiyohi Carver Other Unknown

LANGUAGE

9. Respondent's preferred language: _____
10. Was interpreter used? Not needed In Courtroom By phone By video Not available Attorney waived
11. Language provided to respondent (interpreter language): _____
12. Language provided to testifiers (interpreter language): _____ NA
13. Interpretation (check all that apply) : Consecutive Simultaneous, Complete Incomplete, Technical problems
- Multiple attempts to find Not in preferred language Comment: _____

MERITS**14. Relief application being heard (check all that apply)**

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

15. Testimony/ Witnesses- (check all that apply)

- Respondent. Family Other Supporter
- Medical Mental Health Country Expert

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

17. Comment about testifiers/ testimony: _____

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

Presence in country

19. Respondent's entry date/ length of time in the US: _____ Unknown
20. Does respondent have family in the US? Yes No Unknown. If family present, who and what status in US: _____

Background

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

_____ Not discussed

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

_____ Not discussed

Criminal history

23. 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

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

25. Describe the main argument of government attorney: _____

26. Describe main questioning / reasoning of Judge: _____

Health

27. 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

28. Judge's action: Relief Granted Relief Denied Case Continued
 Will issue written decision Other Unsure

Comment: _____

29. Did parties reserve appeal of decision? NA_(no decision today) DHS: Yes No Respondent: Yes No

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

IMPRESSIONS:

For the next set of questions use a 5 point scale 1= strongly disagree 3= neutral, 5= strongly agree

- 31. The Judge asked understandable questions and gave clear explanations 1 2 3 4 5
- 32. The Judge was a neutral arbiter, didn't show deference to either side 1 2 3 4 5
- 33. The respondent's attorney provided good representation N/A 1 2 3 4 5
- 34. The respondent's dignity was upheld during the hearing 1 2 3 4 5
- 35. The respondent (and/or their attorney) understood what was happening today 1 2 3 4 5
- 36. The respondent (and/or their attorney) was given a fair shot to present their case 1 2 3 4 5
- 37. The outcome of today's hearing was fair N/A 1 2 3 4 5

Additional Notes: _____
