

How the Process Works (Step-by-Step)

Purpose of the Process: This program uses a structured, four-step cycle of administrative and judicial actions to verify immigration status, update records, and enforce the law through arrest only as a last resort. The goal is to ensure you are on the correct immigration pathway and to afford you **speedy due process with dignity and safety**. The focus is on accuracy, transparency, and efficiency – achieved through coordination and clear procedures, **not** by rushing or bypassing anyone's rights. Every non-citizen (Legal Permanent Resident are exempt) status follows the **same process** (with legally present visa holders typically reviewed first for efficiency), so you know exactly what to expect at each stage. The emphasis is on voluntary compliance and in-person service at a centralized facility, with enforcement only if absolutely necessary.

Overview of the Cycle: The process progresses through four main stages if needed, each with its own notice and timeframe: an **Administrative Subpoena** (a formal notice to appear for a review), a **Judicial Subpoena** (a court-issued order if the first notice is ignored), a **Judicial Warrant & Removal Order** (court-issued enforcement orders after continued non-compliance), and finally **Enforcement Action** (arrest and removal carried out under judicial authority). At each step, you have a fair opportunity to cooperate and resolve any issues **before** it escalates to the next stage. Below is a transparent walkthrough of each stage, including timelines, what happens, possible outcomes, and where due process protections apply – so there are no surprises.

Step 1: Administrative Subpoena (Initial Notice & Check-In)

What It Is: The process begins with an **administrative immigration subpoena** delivered to you as a formal **notice to appear in person** for an immigration status review. This is a **regulatory tool** – commonly used by government agencies – that **does not accuse you of a crime or imply wrongdoing**. It simply requires you to provide specific information to ensure that federal records about your status and eligibility are correct and up-to-date. Think of it as a required check-in to verify your immigration status, living arrangements, household composition, and any public benefits you receive, so that resources and enforcement attention can be properly allocated.

Key Features of the Administrative Subpoena:

- **In-Person Appearance:** It will direct you to appear at the designated **Administrative Immigration Processing Center** for a review of your immigration status and records.
- **Clear Information Provided:** The subpoena includes **clear notice** of your obligation to appear, **the exact location** (the Processing Center address) where you must go, and a **plain-language explanation** of the process and the consequences of non-compliance. It will list what documents or information to bring (such as proof of your current immigration status, identification, and details about your household or benefits, if applicable).
- **No Arrest or Guilt Implication:** Importantly, an administrative subpoena **does not authorize an arrest** on its own and does **not mean you are in trouble**. It is not a criminal charge – it's a legal request for information and appearance. Complying with it is usually straightforward: you come in and confirm your details. It's about verification and correcting data if needed, not punishment.

Response Window: You have **30 days from the date the subpoena is issued** to comply. This generous timeframe is a **widely accepted standard** for regulatory compliance, giving you a full month window to prepare and appear. During this 30-day window, you can **simply go to the Processing Center as instructed** (at a time that works for you within the window) to complete your review. If for some reason you are unable to appear on the specified date, the subpoena will contain instructions on how to contact the authorities to reschedule or provide the requested information. There is also a public outreach effort accompanying these notices – you will likely receive information (in the mail or through community sources) explaining **where to go, what to bring, and how the process works**. This is to ensure everyone understands the process and has an equal opportunity to comply, avoiding any confusion or arbitrary enforcement.

What Happens at the Processing Center: When you appear for the administrative subpoena, the focus is on **accuracy and service**. You will meet with immigration officers at the Administrative Immigration Processing Center. This center is



a **one-stop location** where officials and immigration judges are co-located (in the same facility) to handle cases efficiently. The staff will verify your identity and review your immigration status. They will update or correct government records as needed (for example, ensuring your visa or pending application information is current, confirming your address and household members, and noting any public benefits you lawfully receive). If everything checks out and you are on a correct legal pathway, this review will be completed, and you'll leave with your records confirmed—**no further action needed**. If the review finds any issues (such as an expired status or other concerns), the officials will explain next steps. Because immigration judges are on site, **any clarification or decision that requires a judge can often be handled the same day** or scheduled promptly, ensuring you get answers quickly.

Possible Outcomes at Step 1:

- **Compliance (Preferred Outcome):** The vast majority of people who comply with the administrative subpoena will finish their check-in and **resolve any questions right then and there**. Your status is verified or updated, and you continue on your way with **no penalties**. You have essentially refreshed your information in the system, which helps protect you (for instance, from being mistakenly targeted due to outdated records) and helps the government allocate resources correctly.
- **Non-Compliance:** If you **do not respond within the 30 days** or fail to appear as directed, the process will escalate to the next step. Non-compliance at this stage means you **miss out on the easy, administrative resolution**. However, you will receive further notices (described below) – you are **not immediately arrested** just for missing this deadline. The program is designed to give you multiple opportunities to cooperate.

Due Process at this Stage: The administrative subpoena stage is designed with due process in mind: you are given clear notice, ample time to comply, and an accessible venue to be heard and to correct your information. There is **transparency** (you know exactly what is being asked and why) and **assistance** available (staff at the center can answer questions or provide translation services as needed). **No adverse action is taken** if you comply. Only if you choose not to respond does it move to a more formal stage. This ensures that enforcement is fair and **only targeted toward those who refuse to engage after being given a fair chance**.

Step 2: Judicial Subpoena (Compelled Court Appearance)

Trigger: Step 2 comes into play **only if you did not respond to the administrative subpoena** in Step 1 within the 30-day window. In other words, if you haven't shown up for your initial review or otherwise resolved the subpoena, the matter is elevated to the judicial level.

What It Is: A **judicial subpoena** is essentially a **court order** issued by an immigration judge compelling you to appear for the same review that was initially requested. This is more serious than the administrative subpoena because it carries the authority of a court. At this point, your case is now before an immigration judge, and you are legally **required** to appear within a shorter timeframe.

Response Window: You typically have **14 days from the date the judicial subpoena is issued** to comply. The window is shorter (two weeks) because by now you've already had a month and a prior notice explaining what you need to do. The expectation is that you are already aware of the requirement (from Step 1), so this acts as a second and final notice to appear before moving toward enforcement. Fourteen days is considered a reasonable minimum period to respond to a court order while reflecting the increased urgency of the situation.

How You'll Be Notified: The judicial subpoena will be formally served to you (for example, delivered to your address or last known address). It will refer to the previous notice and clearly state that an immigration judge now orders your appearance at the **Administrative Immigration Processing Center** (or immigration court, if specified) for review. It will also outline the consequences of failing to comply (which include the possibility of a warrant for your arrest and removal – see Step 3). The subpoena will again provide information on when and where to appear. Because the immigration judges are co-located at the Processing Center, in many cases you will be directed to the **intake location** as before; the difference is now you will check in and likely see a judge rather than just an officer.

What Happens When You Appear: If you comply with the judicial subpoena and appear within the 14-day period, the review process will proceed, similar to Step 1, but now under the supervision of an immigration judge. The judge and



immigration officers at the center will review your case details: - They will verify your immigration status and any relevant documents. - If there was an issue or reason you did not respond to the first subpoena, you can explain that now. The process is still fundamentally about updating information and assessing status, **not about punishing you for missing the first appointment**. The judge's presence ensures that everything is done on the record and fairly. - The goal is still to **get you on the correct path if possible**. For example, if your visa expired, the judge will determine if you are eligible for any relief or extension, or if further proceedings are needed. If everything is in order, the judge can confirm that and end the matter. - In essence, **you still have the opportunity at this stage to resolve your case without any penalties**. The judicial subpoena is a serious reminder, but compliance means the process can still be resolved administratively (with perhaps a formal closure by the judge if needed).

Possible Outcomes at Step 2:

- **Compliance:** If you appear as directed by the judicial subpoena, you will undergo the required status review, now with the court involved. In many cases, appearing at this stage can **prevent any further escalation**. You may face questioning about why you missed the first deadline, but ultimately if you resolve the status questions and update your records, you can avoid any enforcement action. The immigration judge can close the case or continue with any appropriate immigration proceedings with you present (which is always better for you than having decisions made in your absence).
- **Non-Compliance:** If you **do not appear in response to the judicial subpoena within the 14 days**, this is considered a failure to comply with a direct court order. At this point, you have been given two chances and ample time (a total of 30 days + 14 days, at minimum) to cooperate. Non-compliance here will lead to **Step 3**, where the court can authorize enforcement actions against you. Skipping a judicial subpoena is serious — it means the judge may proceed without you.

Due Process at this Stage: By involving an immigration judge, the process ensures that a neutral arbiter is now overseeing the matter. **Your due process rights are in full effect** – for instance, you have the right to proper notice (which you received), the right to a fair hearing if one is held, and the knowledge of what non-compliance means. The timeline (14 days) is short but fair given the prior notice, and you still have an opportunity to be heard. The judge's involvement also adds a layer of oversight to ensure that if there were any errors or issues with the initial notice, they can be addressed (for example, if you never got the first subpoena due to a mailing issue, you can bring that up now). The process remains focused on getting you through the system correctly, not on trapping you — you are encouraged to come in and sort things out rather than face consequences.

Step 3: Judicial Warrant & Removal Order (After Continued Non-Compliance)

Trigger: Step 3 is initiated if you **fail to comply with the judicial subpoena** from Step 2. In simple terms, if you ignore the immigration judge's order to appear (and thus have not shown up for either the administrative review or the subsequent court-ordered review), the situation moves into the enforcement realm under judicial authority.

What It Is: At this stage, an immigration judge can take two critical actions: 1. **Issue a Judicial Warrant for Contempt:** This is essentially a warrant for your arrest due to contempt of court – in this context, contempt means willfully disobeying the judge's subpoena. This warrant authorizes law enforcement to locate and bring you into custody to ensure you appear before the court. 2. **Issue a Final Removal Order (if lawful):** The judge may also issue a final order of removal (deportation) against you, provided the legal standards for removal are met in your case. This often happens **in absentia** (in your absence) because you failed to appear. A removal order is a formal legal determination that you are removable from the United States.

These actions mark the transition from the notice-and-voluntary-compliance phase to the **enforcement phase**. At this point, the process has given you multiple opportunities (a notice and a court order) to come in voluntarily, and since you have not, the law permits the authorities to enforce compliance.

Consequences of Step 3 Actions:



- **Judicial Warrant (Arrest Warrant):** Once the judge issues this warrant, immigration enforcement agents (for example, U.S. Marshals or ICE officers) are empowered to **arrest you for failing to comply with the court**. This warrant is specific to you and this situation – it's not a general raid or random check, but a targeted order to bring you in. It stems from the judicial finding that you did not respond to lawful subpoenas.
- **Final Removal Order:** If a final order of removal is issued by the judge, it means legally you can be removed (deported) from the country. With this order on record, you lose the benefit of resolving the matter through a simple check-in. Instead, you now face the outcome that the process was trying to avoid unless absolutely necessary. **However, even at this stage, due process was observed** – the order is issued by a judge, not arbitrarily by an officer, and only after you failed to use the opportunities given to you. (Keep in mind, if there were extenuating circumstances for your absence, there are legal avenues to address in-absentia orders, but those are separate procedures beyond this overview.)

Due Process Note: By Step 3, **all due process requirements have essentially been met** from the government's side: you received notice and a chance to appear (Step 1), a second notice and chance via a court (Step 2), and you still did not appear. The judge's actions are grounded in law (authority under the Immigration and Nationality Act and the court's contempt powers). There is judicial oversight ensuring that enforcement isn't happening by administrative whim, but through a lawful court decision. It is important to realize that the program's design is to **reserve these strong measures only for those who have ignored prior, less coercive measures**.

Possible Outcomes at Step 3:

- If a **warrant is issued** and you are subsequently located by authorities, you will be taken into custody to finally address your case (and likely moved to Step 4, the actual enforcement of removal, if the removal order has been issued).
- If a **removal order is issued**, you are now considered an individual with an outstanding deportation order. This will remain in effect unless overturned by some legal action or fulfilled by your departure. It gives immigration authorities the green light to remove you from the U.S. once you are apprehended.

At this point, **further opportunities to voluntarily comply are essentially exhausted**. Any resolution now will likely involve legal counsel or appeals (which are outside the scope of this immediate process description). The main thing to understand is that the situation has escalated to a formal enforcement matter.

Step 4: Enforcement Action (Arrest and Removal with Judicial Backing)

Trigger: Step 4 is the final stage, which occurs if a judicial warrant and/or removal order has been issued in Step 3. Now the focus shifts to carrying out those orders.

What It Is: In Step 4, immigration enforcement agencies (such as Immigration and Customs Enforcement officers or other authorized agents) will execute **enforcement actions to take you into custody and effectuate the removal order**. This could involve arresting you at your home, workplace, or wherever you are found. However, unlike random sweeps or early-stage raids, this enforcement is **tightly focused and legally authorized**: it's being done under the authority of a judicial warrant and a court's removal order specifically for your case.

Administrative Warrants Backed by a Judge: Often, immigration agents will use an **administrative warrant** (a type of warrant issued by the Department of Homeland Security) to take someone into custody. In this program's design, any such administrative warrant at this stage is explicitly **backed by the prior judicial warrant/order**. This means the enforcement action is not just an internal administrative decision – it is supported by the **judicial authority** that was established in Step 3. The integration of a judge's order ensures that the arrest/detention is **legally anchored, targeted, and accountable**. In practical terms, it prevents arbitrary or mistaken enforcement because the case has been reviewed by a judge and the order is specific to you.

What Happens During Enforcement: If agents execute the warrant, you will be **arrested and detained** in order to carry out the judge's removal order. You will be brought before the appropriate authorities (possibly the same immigration court if a hearing is still required, or directly to a facility for removal processing since a final order is already in place). At



this juncture, because a final removal order exists, the likely outcome is that you will be scheduled for removal (deportation) from the United States in the near term. Officers will coordinate the logistics of that removal according to standard procedure (which can include time in immigration detention while awaiting travel arrangements).

Due Process and Rights: It's important to note that even during enforcement, certain protections remain – for example, you cannot be removed without a valid order, and you have the right to humane treatment and safety during detention and removal. The fact that a **judge's order** underpins this action means the process was carried out under the law. At this stage, there is little discretion left because the matter has been decided through the prior steps. However, you had multiple chances to avoid reaching this point. Enforcement is truly the **last resort** in this cycle – used only when an individual repeatedly fails to engage with the process.

Outcome of Step 4: The final outcome is that the law is executed as ordered by the court. If you are arrested under the warrant, you will either: - Be brought to court (if there's any remaining legal formality to address) and then removed according to the order, or - Be directly processed for removal if everything is already in order.

After removal, there may be legal bars to returning, etc., but those details are beyond this immediate process explanation. The key takeaway is that Step 4 represents the **conclusion of the enforcement cycle** – the program has now moved from administrative request to actual enforcement, with the entire progression having been documented and approved through judicial oversight.

Removal Orders, Voluntary Departure, and Custody Decisions

Whether a removal order is issued—and how it is carried out—depends on the outcome of your individual immigration review. This section explains what a removal order means, how voluntary departure is prioritized, and when custody may be ordered.

Preference for Voluntary Departure

The **preference and design of this facility is to carry out voluntary departures whenever possible.** The overall process is built to encourage **timely compliance, accurate review, and orderly resolution without detention.** Voluntary departure allows individuals to resolve their case with dignity, minimize disruption to families and employers, and depart in a predictable, planned manner.

- **If you are lawfully present** and your immigration status allows you to remain in the United States—and that status is confirmed during review—you **will not be deported.** Your records are updated, and no further action is required.
- **If the review determines that you are not authorized to remain in the United States,** the legal outcome may be the issuance of a **removal (deportation) order.** In most cases where an individual has **complied timely with the subpoena process,** appeared voluntarily, and demonstrated the need to manage **personal, financial, or family affairs,** the process favors **non-custodial resolution.**

Scheduled Departure (Non-Custodial)

When a removal order is issued following voluntary and timely compliance:

- **Detention is generally not required.**
- Individuals may be permitted to **schedule their departure within approximately 7–14 days.**
- During this period, individuals can arrange personal matters (housing, employment closure, school transitions, family coordination).
- **Voluntary departure incentives and logistical support** may be available to assist with travel planning, property disposition, and orderly exit.



This approach reduces unnecessary detention, lowers risk, and ensures departures are carried out **peacefully, swiftly, and safely**.

When Custody May Be Ordered

Detention is not the default or preferred outcome. Custody is considered **only when judicially required**. A judge may order custody if they determine that an individual:

- Presents a **flight risk** (e.g., likelihood of failing to depart as ordered),
- Has **failed to comply** with prior administrative or judicial notices,
- Has ignored a court-issued subpoena or other lawful orders.

In these circumstances, the judge may issue a **judicial removal order with custody**, and the individual may be taken into custody to ensure appearance and effectuate removal. Even in these cases, actions are taken pursuant to **judicial authority**, with clear documentation and oversight.

What This Means for You

- **Early, voluntary compliance matters.** Appearing as directed and engaging the process promptly significantly increases the likelihood of a **non-custodial, scheduled departure** if removal is required.
- **Judicial oversight applies at every stage.** Removal and custody decisions are made by a judge based on the facts of the case—not automatically or arbitrarily.
- **The process is designed to be predictable, dignified, and humane.** Enforcement is used only when cooperation is withheld or when a judge determines it is legally necessary.

Bottom line: If you comply timely and participate in good faith, the system is designed to resolve your case with clarity and respect—often through voluntary departure without detention.

Centralized Processing and Coordination: “One-Stop” Immigration Center

Throughout **all the above steps**, a central feature is the use of a **co-located Administrative Immigration Processing Center**. This is a single, secure location where immigration officers, immigration judges, and support staff work side by side. The design of this center is to make the process as streamlined and service-oriented as possible:

- **Immediate, Same-Day Service:** Because all the key personnel are in one place, if you appear for your review (Step 1 or even Step 2), any issues that arise can often be addressed on the spot. For example, if an immigration officer handling your case needs a judge’s decision, an immigration judge is on-site and can often see you the same day. This avoids the usual delays of scheduling court dates weeks or months out. All non-citizen categories (whether you are on a temporary visa, awaiting a decision, or have an expired status) can be serviced promptly in this center.
- **Dedicated Staff to Help You Through the Process:** The center is staffed with personnel focused solely on intake, records checking, translations for those who are not fluent in English, and other administrative support. These **“focused bureaucrats”** are there to ensure your case moves efficiently and correctly through the system. They will help reconcile any discrepancies in records and gather any additional information needed.
- **Comprehensive Checks in One Go:** Additionally, the center coordinates with other federal teams (such as fraud detection or benefits verification units) behind the scenes. This means if there are questions about, say, public benefit eligibility or any potential identity issues, those can be investigated quickly without you having to go to another office. The emphasis is on **“getting cases right the first time”** – which benefits you (faster resolution, fewer return visits) and the government (accurate data, fair outcomes).
- **Secure and Accessible Location:** The Processing Center is designed to be accessible for the public (with clear directions on where to go and what to do when you arrive) while also maintaining security and privacy for personal data. By concentrating the process in one location, the program avoids scattering cases across various



offices and courts, which can be confusing and time-consuming for everyone. Instead, you have one primary touchpoint to deal with your immigration status review.

This high level of coordination and co-location means the program can operate with **speed through efficiency**, not by cutting corners. It allows **thorough due process** (you meet with officers, can speak to a judge, clarify issues, etc.) **without lengthy delays**. In short, the system is **fast but fair** because everyone who needs to be involved in your case is readily available.

Fairness, Non-Discrimination, and Data Integrity

A defining principle of this entire process is **fairness and equal treatment**. Every non-citizen (LPR excluded) status is **subject to the same initial process** (the Step 1 administrative subpoena) **regardless of nationality, ethnicity, occupation, or location**. There are no exceptions that single out individuals arbitrarily – the criteria for who gets a subpoena is broad and uniformly applied. What can vary is the **priority order of review based on immigration status** (often, those with legal visas or pending lawful status are asked to come in first, as mentioned, to validate their status and keep them in good standing), but **everyone has the same obligations and rights** under this program.

Non-Discrimination: By treating all groups the same under the law, the program avoids any perception of bias. Whether you are a student overstaying a visa, a worker on a permit, or someone with an asylum application pending, you will receive the same kind of notice and go through the same steps. The emphasis on in-person service for all ensures that **no one is subjected to surprise enforcement without first having the chance to comply** with a standard process.

Respect and Dignity: The process is designed to be orderly and respectful. Officers serving subpoenas do so professionally and often in-person to ensure you actually receive the notice. The communication is in plain language so you understand it's about updating information and verifying status – not an accusation. At the Processing Center, staff are trained to handle cases diligently but also **humanely**, understanding that immigration matters can be stressful. The idea is to make the experience more like dealing with a DMV or other bureaucratic service center rather than a confrontation.

Data Integrity and Accuracy: One of the biggest benefits of this in-person verification cycle is the improvement of data accuracy. When you comply with the process, **your records are corrected and confirmed** in front of you: - Your **immigration status** is properly recorded in federal systems (for instance, if you got a new work permit or had a status change that wasn't reflected, it will be updated). - Your **household composition and living situation** can be noted (this is important if, for example, certain immigration benefits or relief options depend on family relationships or if public benefit usage depends on household size). - Any **public-benefit eligibility** can be confirmed (ensuring that, if you are receiving benefits, you are indeed eligible for them, or conversely if you are not eligible, that can be addressed lawfully). - Any **flags or errors** (like a mistaken identity issue, or an outdated address that had you marked as missing) can be resolved.

Having accurate data means the government can allocate its resources correctly and **focus enforcement only where it's truly necessary**. It protects you as well – with correct information on file, you are less likely to face incorrect targeting. It also ensures that **public resources (such as benefits)** are going only to those who are eligible, which is important for public trust and sustainability of those programs. In summary, by participating in this process, **you help "set the record straight,"** which benefits both you and the broader system.

No Shortcuts at the Expense of Rights: Finally, it's worth reiterating that while this program is efficient, it does not **shortcut due process rights**. Each step involves **proper notice and an opportunity to be heard**. The speed comes from good organization and coordination – **not from denying anyone a chance to respond or appeal**. You will always know what is expected of you and what the consequences are if you choose not to comply. The presence of judicial oversight at critical points is a safeguard against abuse or error. Enforcement actions are **transparent and follow legal orders**, not sudden or without explanation.

Bottom Line: This step-by-step process is designed to encourage **voluntary compliance and quick resolution**. If you engage with it early (at Step 1), the process will likely be straightforward and non-punitive – a chance to ensure everything about your status is in order. Each subsequent step only comes into play if you fail to act on the previous notices, and even then, the system ensures you're given fair warning and a legal framework (through the courts) before



any serious enforcement happens. By the time enforcement occurs, it's backed by a judge and multiple layers of due process.

Next Step – Prepare for Your Visit: If you have received an administrative subpoena (Step 1 notice), the best course is to **comply within 30 days** and appear for your review. To make your visit faster and more convenient, you have the option to **submit your information in advance of arriving** at the Processing Center. This allows the staff to pre-fill and pre-check some of your details so that when you come in person, you receive **priority service** and spend less time waiting. (Look for the link or instructions provided with your subpoena on how to send in your information ahead of time.) Taking advantage of this pre-submission can streamline your check-in and help resolve your case even more quickly.

By understanding each step of this process, you can approach it with confidence and clarity. The aim is to ensure you are on the correct immigration path and that any issues are handled promptly, **with fairness and respect at every stage**. Compliance at the earliest stage is the easiest and safest route, but know that **throughout the process your rights are guarded** and the system is designed to treat you consistently and justly. There should be no surprises — just a clear path to resolving your status in a dignified and lawful manner.

