
Know Before You Go: Immigration Court Hearings and Ice Arrests

Since May 2025, U.S. Immigration Customs Enforcement (ICE) officers have begun arresting individuals outside many immigration courthouses. If you or someone you support has a hearing scheduled, read this flyer carefully and share it widely.

Who Should Review this flyer?

- People who have an upcoming immigration court date
- Family members or friends supporting someone in immigration court

What is happening outside immigration courts?

- Since May 21, 2025, ICE officers have been stationed outside of immigration courtrooms and may arrest individuals after their hearing ends.
- In some cases, the government asks to dismiss (close) a case. Once the hearing ends, ICE arrests the person as they depart the building, books them into ICE custody, and initiates **expedited removal**—a faster deportation process that does not include another appearance before a judge.

Who May Face Expedited Removal?

- People who entered the United States without inspection (without legal papers or authorization) AND cannot prove they have been physically present in the United States continuously for two years
- People whose parole status has been terminated or canceled, including CBP One participants and other humanitarian parolees, even if they've been in the United States for over two years.

Who is Generally Exempt from Expedited Removal?

- Anyone who inspected and admitted to the United States, even if their visa or authorized stay has expired*
- People who can prove two or more years of continuous U.S. residence
- Unaccompanied minors under age 18
- Cuban nationals who arrived by airplane

***Important:** individuals paroled into the United States were never formally admitted; if their parole expires or is revoked, they can be placed in expedited removal.

Documents That Demonstrate Two-Year Residence

- Carry photocopies (not originals) of any records showing you have lived in the United States continuously for at least two years, such as:
- Lease or rental agreements
- Utility bills or bank statements spanning two years
- Dated medical, school, or employment records
- Mail postmarked more than two years ago

Tip: It is safest to keep these documents in a secure folder that you bring to court

You May be eligible for a credible fear interview

If you are afraid to return to your home country because you fear persecution or torture, tell the ICE officer:

1. "I am afraid to return to my home country."
2. "I would like a fear-screening interview."
3. "I fear persecution or torture."

Using these exact phrases can pause expedited removal and give you the chance to explain your fear to an asylum officer.

Before you sign Anything

If an officer presents paperwork titled voluntary Departure, Stipulated Removal, or Waiver, ask to speak with a lawyer first. Signing could lead to you immediate removal from the United States.

Questions to Ask During Your Hearing If Your Case Is Being Dismissed

1. "Why is the government requesting dismissal of my case?"
2. "What are the circumstances that have changed in this case?"
3. "What are the consequences for me if the case is dismissed?"

Key Request to Make When Your Immigration Court Case is Being Dismissed

1. "Request that DHS submit the motion in writing."
2. Request the chance to respond to the motion in writing.
3. Request the full 10 days to respond and to find an attorney to help you.

If your Immigration court case is dismissed and you are arrested by ice officers

Know your basic rights

- Right to remain silent- you do not have to answer questions without a lawyer
- Right to speak with an attorney if you are detained
- Right to contact your consulate
- Right to refuse a home search unless officers present a warrant signed by a judge

Possible outcomes of Expedited Removal

- Deportation in a little as one day
- No right to appeal the decision
- A Five-year bar on returning to the United States
- Long-term challenges obtaining future visas or being reunited with U.S.-based family

Helpful Resources

- Emergency Immigration Legal Help (American Bar Association): Dial 2150# or call (202) 442-3363
- Automated Court-Date Line: 1-800-898-7180
- Family support Hotline: 1-855-435-7693
- Locate Detained Persons: [ice.gov/odls](https://ice.dhs.gov/odls)

Tip: If you are arrested, call your attorney and your consulate so they can coordinate legal and practical support on your behalf.

Action Checklist

1. Save the phone numbers above in your contacts.
2. Consult an immigration attorney before your next hearing.
3. Gather documents proving two or more years of U.S. Residence (if applicable).
4. Share this information with friends, family, and community members who may be affected.

Preparing Loved Ones

- Discuss possible outcomes with family members in advance.
- Arrange childcare and share emergency contacts.
- Store important documents (passports, birth certificates) where a trusted person can find them if needed.
- Keep some money available for unexpected expenses

Current Legal Challenges

Several lawsuits, including *Make the Road New York v. Noem* AND *CHIRLA v. Noem*, are challenging the legality of these courthouse arrests. Outcomes are still pending

This provides general information and is not a substitute for legal advice. For guidance on your specific situation, speak with a qualified immigration lawyer. Contact ROMÁN LAW at 210.437.3377.
