

## ACTION

### Immigration Court Watch

#### **PRIORITY: 1**

**To attend the court hearings for those held in Detention Center**

- **Sit-in at court hearing for children in court, the 7<sup>th</sup> Ave. location**

**Legal: Dianne Post**

**There are 2 observers already**

#### **ADDRESS:**

Executive Office of Immigration Review (EOIR)

Phoenix Immigration Court

250 N 7th Ave #300

602-640-2747

Open 8am-4pm, 5 judges

#### **READ**

- The proceedings are open to the public. However, that does not include the media and a judge can make a decision to close the hearing.
- **Check at the front desk** for which judges have cases.
- There are “master” calendars with many people and “individual” calendars with one person.
- If you know the person’s A number, you can locate their time and place.
- A “master” calendar means 99% of the hearings are not about the merits but about a status or update on the case i.e. the process – when and where the next hearing is. Often the persons are asking for more time to get an attorney.

The most important thing to do in these hearings is to make sure the person knows that they must return for the next hearing. Often people are afraid to return thinking they will then be detained and deported. But if they don’t return, they are 100% certain to be deported. If they return, they have some chance.

The other thing they need to know is that they cannot continue getting continuances i.e. postponements because they don’t have an attorney. They can get one or maybe two but then the hearing will be held with or without an attorney and with or without them. So the Spanish speakers could speak to the person when s/he exits the courtroom and ensure they know these facts.

The children’s court is at 8:30 on Friday morning. But the children are all represented by lawyers from the Florence Immigration Project. Twenty or so children are heard one by one for about 5 minutes each. Individual hearings on merits are set many months out e.g. the attorney who spoke on 7/13 at the Uncaged/Reunite meeting has a hearing set in June 2020 because the courts are so backlogged. Since each child has an attorney, it’s

uncertain that having public observations will make things better for that child. That may not be the best use of your time.

### **FLORENCE & ELOY IMMIGRATION COURTS**

The most important hearings we can go to are in Florence and Eloy immigration courts. In these courts, people often do not have attorneys. There the observers will see more asylum cases and cancellation of status cases.

- Hearings are at 8:30 a.m. and 1 p.m. Many people will be waiting to be heard. Those with attorneys will go first.
- It would be helpful to have observers at the hearings without attorneys.
- When you enter the building, go to the filing window.
- There will be posted a list of hearings.
- Go to the ones with 20-30 names. That means there will be many without attorneys.
- Expect to take 30 minutes or more to get through security. You will not be allowed to take anything in including pens and paper so make your notes immediately when you leave. Below are their addresses and phone numbers of the courts.

Florence EOIR court: 3260 N Pinal Parkway Ave, Florence, 85132, 520 868 3341, hours 8-12 and 1-4.

Eloy EOIR court: 1705 E Hanna Road #366, Eloy, 85131, 520 466 3671

## COURT WATCH FORM

Please answer the questions to the best of your ability. You may not know all the answers or hear or understand all the jargon. So just do your best. It will get easier as you get more familiar.

### Factual Description

Location: Phoenix    Eloy    Florence    ( circle)

Date:

Observer (your name) and contact info for questions:

Name of Judge: (male/female/ethnicity/age)

Name of Prosecutor: (male/female/ethnicity/age)

Name of attorney for person if any: (male/female/ethnicity/age)

Name of person: (male/female/ethnicity/age)

Country of person:

Did person speak English? Yes                      No

If not, was adequate translation provided? Yes                      No      What language?

Time hearing scheduled:

Time hearing began:

Time hearing ended:

File Number or A number:

What was the purpose of the hearing?

Was the purpose explained to the person?

What was the outcome?

Was the outcome explained to the person?

Did the person seem to understand? (beyond just nodding or mumbling yes)

When is the next date and time of court hearing?

Was the person given time to speak in the hearing?

If so, how much?

Did the person attempt to introduce or show the judge any documents?

If so, what happened?

Was the person asked if s/he had a fear of returning to the country of origin?

If so, what did s/he say?

If so, what did the attorneys and judge do?

Was the person asked if s/he had any children separated when coming across the border?

If so, what did s/he say?

If yes, what did the attorneys and judge do?

Was the person asked if s/he had any contacts or sponsors in the U.S.?

If so, what did s/he say?

What did the attorneys and judge do?

Courtroom Environment:

Was the courtroom: peaceful, crowded, noisy, quiet, hot, cold, organized, chaotic, comfortable, uncomfortable etc.

Were there any safety issues that you noted or concerned you?

Was the judge: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted?

Was the prosecutor: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted?

Was the lawyer for the person: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted?

Was the bailiff: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted? Name?

Was the clerk: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted? Name?

Was the marshal: alert, organized, interested, respectful, sensitive, distracted or the opposite of these or other issues you noted? Name?

Did anyone make any comments that you could hear regarding the process or the participants in the process that were positive or negative, racist or sexist or anti-immigrant? If so, please write down comment to the best of your ability and who said it.

Any other comments:

Scan and email your completed forms to Dianne Post, [postdlpost@aol.com](mailto:postdlpost@aol.com) or mail to Dianne Post, 1826 E Willetta St, Phoenix, AZ 85006-3047. She will compile, summarize and send to the lawyers at FIRRP. Please write legibly.

**THANK YOU SO MUCH FOR YOUR HELP. UNCAGE/REUNITE**