

INFORMATION ON TESTIFYING IN IMMIGRATION COURT

- You will be under oath – so be sure to tell the truth.
- If you are asked a question that you do not understand, state that you do not understand the question.
- If you are asked a question that you do not know the answer to, state that you do not know the answer. DO NOT guess at what the answer might be.
- Listen to the complete question before answer. If there is an objection by an attorney to the question, wait for the judge to tell you whether to answer or not. You will know an objection has been made because either the DHS attorney or I will say “objection.”
- If you are using an interpreter, wait for the interpreter to state the whole question, and then answer only in your native language. Do this even if you understand the question in English.
- Please review your declaration (if any). If there is anything that is not accurate, please let me know right away. The Immigration Judge and the opposing attorney could ask you questions about the contents of your declaration/letter. You are NOT permitted to have a copy of your declaration with you when you testify.

POTENTIAL QUESTIONS FOR THE RESPONDENT

What is your full and complete name?

DOB

Where were you born?

When did you first come to USA?

How did you enter the US?

About how old at that time?

Do you have any family in the US?

Who?

What is * status?

What is your relationship with him/her?

Any other family?

What is * status?

What is your relationship with him/her?

Before taken into custody - were you employed?

What do you do?

Who do you work for?

How much did you earn?

How many hours a week did you work?

How long did you work there?

Before that job – were you employed?

Where?

What do you do?

How much did you earn?

How many hours a week did you work?

How long did you work there?

Prior to your arrest, were you involved in your community in any way?

How so?

Before you were taken in custody – who did you live with?

Where?

Who else lives there? Immigration status?

CRIMES QUESTIONS

Have you ever been arrested or convicted of any crime?

How many times?

When was your first arrest?

Where were you arrested?

What happened that lead up to that arrest?

Why did the police arrest you?

Did you cooperate police?

Did you go to court?

Did you get convicted?

What was the sentence?

Did you complete the sentence?

When was the second arrest?

Where were you arrested?

What happened that lead up to that arrest?

Why did the police arrest you?

Did you go to court?

Did you get convicted?

What was the sentence?

Did you complete the sentence?

What, if anything, did you learn from these arrests?

How did you learn that?

What steps, if any, have you done to avoid future arrests?

What is your plan with respect to ongoing treatment, if any?

How will you cope if something happens today that makes you want a drink/gets you angry/etc?

If you were released from custody – where would you go live?

With whom?

Would you appear for any future immigration court hearings?

Is there anything else you want to tell the judge?

POTENTIAL CROSS EXAMINATION

Have you ever done drugs?

Have you ever driven while intoxicated?

Have you ever been violent towards someone else?

Do you have any tattoos?

Have you ever been associated with any gangs?

How did you have authorization to work?

Have you ever lied to immigration officials?
