

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.
- If you are using an interpreter, wait for the interpreter to state the whole question, and then answer only in your native language.
- Be sure to review the declaration or letter you wrote on behalf of Respondent as you will have to swear that the contents are accurate. 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 letter. You are NOT permitted to have a copy of your declaration, letter or any material with you when you testify.

POTENTIAL QUESTIONS FOR WITNESSES

Name: _____

Telephone Number/Email: _____

Language you prefer to testify in: _____

What is your full name?

When were you born?

What is your immigration status?

Where do you live now?

Do you know Respondent?

How do you know him/her?

When did you first meet Respondent?

How many times have you personally interacted with Respondent?

Did you write a letter in support of Respondent?

Are the contents of that letter true and correct?

What is your relationship with Respondent?

How would you describe his/her character?

Can you give any specific examples?

Do you know if he/she has ever had any criminal issues?

What criminal issues are you aware of?

Approximately when did the first incident occur to your knowledge?

Do you know what he/she was accused of?

How do you know that?

Do you know if he/she was convicted?

Does that impact your view of his/her character?

Why not?

Do you know if he/she has any other criminal issues?

Approximately when did the second incident occur to your knowledge?

How do you know that?

Do you know if he/she was convicted?

Does that impact your view of his/her character?

Why not?

Do you know if Respondent took any actions after these incidents?

What kind of action? (rehab; classes; etc)?

How do you know that?

How do you think that helped Respondent, if at all?

Do you think Respondent is a dangerous to the community?

Why not?

Has Respondent ever been involved in the community?

How so?

What organization?

What did he/she do for that organization?

How do you know this?

To your knowledge, has he/she been involved in any other organizations?

What organizations?

What did he/she do for that organization?

How do you know that?

Does Respondent have family in the US?

Who?

What is their status?

Is he/she close to this family?

Can you describe his/her relationship with *?

Do you know where Respondent would reside if released from custody?

Where?

With whom?

Do you work? Yes

What do you do?

Would you be willing to help post money?

How much money could you offer?

IS there anything else you would like to tell the judge?

POTENTIAL CROSS-EXAMINATION

Have you seen Respondent drink/do drugs?

Did you ever see Respondent drink and drive?

Do you think Respondent has a drinking/drug problem?

Do you know if Respondent is involved in a gang?

Have you seen Respondent be violent towards another person ever?