

Frequently Asked Questions: Working with Detained Clients

COMMUNICATION:

1. What documentation do I need to access my client in detention?

Attorneys should file Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with the Immigration & Customs Enforcement officer overseeing your clients case as soon as possible to ensure that ICE is aware you are representing him.

Every immigrant detainee has a docket officer. Information regarding this officer is sent in the case acceptance email from NIJC. If you have difficulty reaching the Officer, please let our office know.

2. How can I communicate with my client?

Every facility has different procedures for communication. General contact information for every facility can be found on-line. Attorneys can call for the most up-to-date information. Otherwise, NIJC will also send information regarding the facility where your client is detained in the case acceptance email.

If you have difficulty communicating or your client is transferred, please let our office know.

3. Where is my client? My client was transferred to another facility- how do I know where?

You can search your client in the online detainee locator for up to date information on the location of your detained client. ICE will not notify you if they are moved to another facility.

4. Can I visit my client?

If you would like to visit your client in person, please call the facility and schedule an in person appointment.

5. My client says he has to pay to call me, what are our options for communication?

Attorney / client phone calls should be free. Inform NIJC if you are having any difficulty speaking with your client. We also recommend that attorneys schedule regular phone calls with your client irrespective of deadlines or filings.

DETENTION CONDITIONS

1. My client shared very concerning information with me regarding the conditions in the facility, what can I do?

Please document any concerns regarding detention conditions. For any urgent situation where the life or security of your client is in danger, please contact NIJC. NIJC's Policy and Advocacy team in Washington, DC educates the U.S. Congress and other decision-makers about the ways in which human rights are often violated in immigration detention. While we cannot guarantee action on specific cases, the information you share will help us be better advocates for more humane immigration laws and policies in the United States.

2. My client has a medical condition that s/he feels is not getting proper attention, what can I do?

Please document any concerns regarding detention conditions. For any urgent situation where the life or security of your client is in danger, please contact NIJC.

RELEASE PLAN:

1. If my client's case is granted, what happens to him/her?

If the judge grants relief and ICE does not appeal, the client will be released immediately if they were brought in person. Otherwise, you will have to coordinate the release with their deportation officer for the next business day.

If the judge grants relief and ICE reserves appeal, the client will remain detained.

If a client is granted relief but remains detained, *pro bono* attorneys should discuss with NIJC.

2. When my client's case is complete and ICE releases them, what can I do to find them housing, if necessary?

The Interfaith Committee for Detained Immigrants ("ICDI") is available to help. Their hotline is 312-985-7740. NIJC recommends you contact them prior to the merits hearing in the event ICE releases your client the day of their final hearing. Volunteers understand it is possible that that your client will not be released that day, but will be readily available to assist.

Please note that ICDI can usually help with short-term housing and that though there is a possibility for long term housing there is a waiting list for long term housing.

3. How can my client get any original documents back?

Once the immigration judge issues a final grant of asylum (and DHS does not appeal), the client can get his/her original documents back from DHS after the file is processed. To get the documents back, the client should request the documents from their deportation officer as soon as possible. You may wish to call your client's deportation officer on their behalf. ICE will then order the client's file and the documents should be available within a few weeks.

If you have any additional questions, please contact: Jesse Johnson 312-660-1681 or jejohnson@heartlandalliance.org For detained LGBT individuals please contact: Michelle Velazquez, mivelazquez@heartlandalliance.org

