

Know Your Rights 2:
Legal Homework
Your legal rights and
responsibilities post-release

Immigrant Children Protection Project

**NATIONAL
IMMIGRANT
JUSTICE CENTER**
A **HEARTLAND ALLIANCE** PROGRAM

This webinar does not contain legal advice and is intended to serve only as an introductory guide to teach minors about some of their legal rights and responsibilities. It does not discuss all aspects of immigration practice and proceedings. Other sources should be consulted regarding current law and procedure. For further information and to discuss the specific details of your case, please contact NIJC or an immigration attorney.



Will I have to go
to Immigration
Court?



- * Even though you reunited with a sponsor in the United States, your immigration case is **still pending** in immigration court.
- * **Remember** that if you miss a court appointment, the judge will order you **deported**.
- * To make sure you do not miss a court appointment, you must **inform** the Immigration Court and the Government Attorneys that you moved.

This presentation will teach you how to ask the judge to move your court to a court closer to you and how to change your address so that you don't miss any court appointments.



I'M AN
UNDOCUMENTED
CHILD DO I HAVE ANY
RIGHTS?

Of Course! A right is something that NO ONE should be able to take away from you...like:

- Going to school
 - Being safe
 - Being healthy
 - Seeking legal assistance
-
- *If there is an **emergency** and you need help from the police or an ambulance call **911**

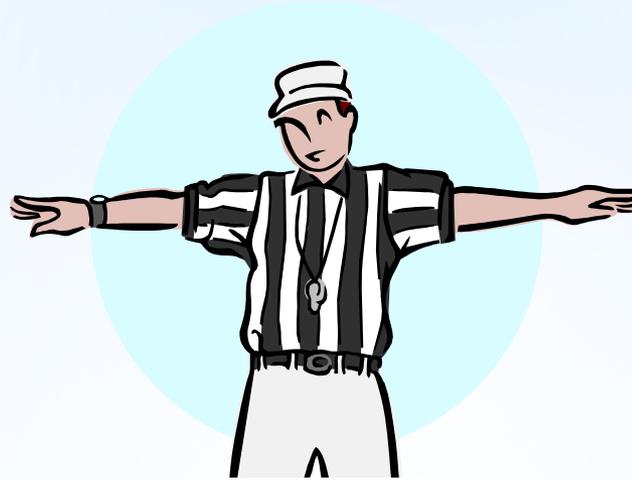
ALL I REALLY WANT
IS TO WORK? CAN I?



- You do NOT have a right to work in the United States until the U.S. government gives you permission to work.
- Remember that working without a work permit can affect your immigration case.

The Players In Your Case

If you recall, the immigration process in the United States is similar to a soccer game. Aside from you there is also the Referee and another team playing in this game. And of course your coach also plays with you in this game.



The referee = the immigration judge



The coach = your immigration attorney

Your team



The other team = the government's attorneys





What will I have to do to continue playing my game?

Responsibilities are things you *should do!*

You are responsible for your immigration case and for doing the following things, in other words you are responsible for your game:

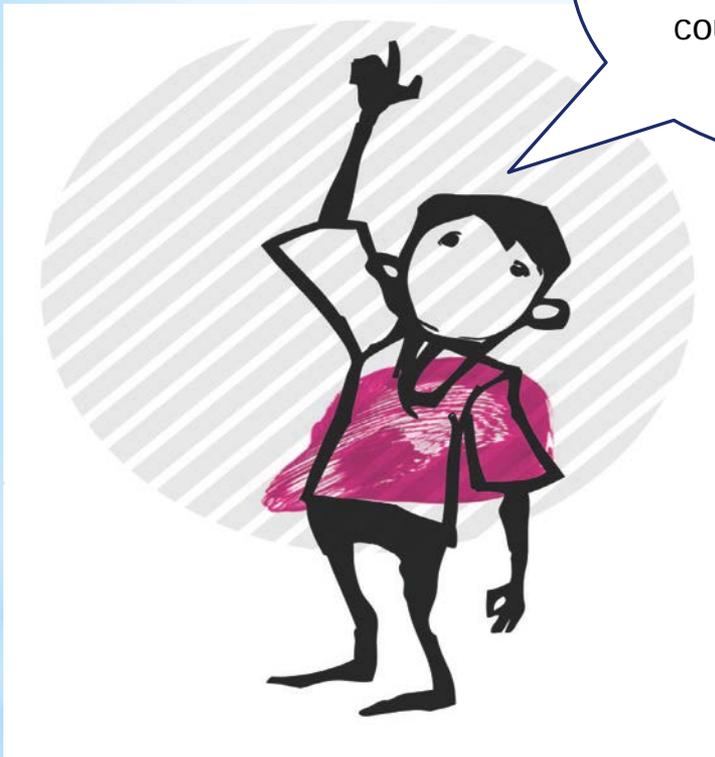
1. Find a coach for your game (you can find a list of **Immigration Attorneys in the [NIJC KYR Manual](#)** available online)
2. Inform the referee and the other team how you want to play and where you want to play (**Change your Court** and **Change your Address** with the Immigration Judge/Court and with the Government Attorneys)
3. Continue going to all your games, your **Court dates**

HOW DO I FIND
OUT WHERE MY
COURT IS?

- 1) Call the Court at **1-800-898-7180**
- 2) The system will ask you for your A# (your A# is in the upper right corner of your NTA).
- 3) The system will confirm your A# and name. **Listen carefully!**
- 4) Press 1 to hear date and location of your next Court hearing.
- 5) Write down the location and date of your next Court hearing. You will need the address of this location for the COV and COA.

***If you are not in the system, **no need to panic**, keep calling every week or at least once a month ***





I know where my Court
is now! What if don't
live close to that
court? What do I do?

*** We will review how to get
everything ready to
change your Court and
your Address with the
Immigration Court and the
Government Attorneys**

What do I need
to be able
change my
Court and my
address?



- Your A#:** This is your immigration identification number. It starts with A and has 9 numbers. It should be included on all communication with Immigration. You can find it on your Notice to Appear (NTA).
- Your new address and phone number:** Ask your sponsor your new address and phone number. For your safety, it is a good idea to memorize this information.
- Your old address:** You can find this address on your Notice to Appear (NTA) under your name.
- A Change of Venue form (COV):** This document asks the Court to change your court appointment to the court closest to your new address.
- A Change of Address form (COA):** This document informs Immigration of your new address so they can send your immigration court appointment by mail.
- The address of the Immigration Court and Government Attorneys where you have Court next.**

Finding Information on your NTA

Immigration and Naturalization Service Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

File No: _____

In the Matter of: _____

Respondent: _____ currently residing at: _____
(Number, street, city, state and ZIP code) (Area code and phone number)

1. You are an arriving alien.

2. You are an alien present in the United States who has not been admitted or paroled.

3. You have been admitted to the United States, but are deportable for the reasons stated below.

The Service alleges that:

1) You are not a citizen or national of the United States.

2) You are a native of _____ and a citizen of _____.

3) You were admitted to the United States at _____ on or about _____ as a nonimmigrant _____ with authorization to remain in the United States for a temporary period not to exceed _____.

4) You remained in the United States beyond _____ without authorization.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237 (a) (1) (B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a) (15) of the Act, you have remained in the United States for a time longer than permitted.

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

Section 235(b)(1) order was vacated pursuant to: 8 CFR 208.30(f)(2) 8 CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

(Complete Address of Immigration Court, including Room Number, if any)

on _____ at _____ to show why you should not be removed from the United States based on
(Date) (Time)

the charge(s) set forth above.

(Signature and Title of Issuing Officer)

Date: _____
(City and State)

See reverse for important information

Form I-862 (Rev. 3/22/99) [N]

Your name will be next to "Respondent"

Your address while you were in Chicago will be here

What the Government Attorneys have charged you with

Your A number, your case number with Immigration will be here

The list of reasons why the Government Attorneys have begun a case against you

This shows you will have to go to Immigration Court to see a Judge

Change of Venue (COV)

PRO SE

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT

Write the address of the Court where you have your appointment

Write your full name

In the Matter of:)
Respondent (Your name)) File No. A (Your A Number)

Write your A#

In removal proceedings)
MOTION FOR CHANGE OF VENUE

The Respondent will be residing at:

Write your complete new address and telephone number

(Your Address)

Phone: (Your Phone Number)

The Respondent respectfully requests that his or her case be transferred to the Immigration Court with jurisdiction over the above address.

Remember, you can find the address of the chief counsel in the court/DHS address list

Write the address of the Government Attorneys where you have your court case

Signed: Respondent (Your signature)

Sign your name in blue or black ink

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing motion was served by mail or delivery on:

Department of Homeland Security
Office of the Chief Counsel

Sign your name in blue or black ink

Date: (month/day/year) Signed: Respondent (Your signature)

Remember, you can find you're A# on your NTA (Notice to Appear)

You can find this form on our website:

<https://www.immigrantjustice.org/resources-immigrant-children-and-young-adults>

This document is intended to serve only as a guide for unaccompanied children seeking to change their venue. Other sources, including an immigration attorney, should be consulted.

Change of Address (COA)

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB#1125-0004
**Alien's Change of Address Form/
Board of Immigration Appeals**

Who should use this form: Use this form for a change of address if you have filed an appeal or motion with the Board of Immigration Appeals. *Note:* If you are an attorney representing a person before the Board, do not use this form to indicate your own change of address; use Form EOIR-27 (Notice of Entry of Appearance as Attorney or Representative Before the Board).

When to use this form: If you move, the law requires you to file this Change of Address Form with the Clerk's Office of the Board of Immigration Appeals. You must file this form within five (5) working days of a change in your address. Even if you have an attorney or representative, you should file this form with the Board every time you change your address. You should also file this form if you get a new telephone number.

How to use this form:
1. Complete the Change of Address Form below.
2. Send a copy of this form to the Office of the Chief Counsel for the Department of Homeland Security (DHS) (Immigration and Customs Enforcement-ICE), and complete and sign the "Proof of Service" below to show you did this.
3. Send this form to the Board of Immigration Appeals. Follow the mailing instructions on the back of this form.
4. If you prefer to file this form in person, you may bring it to the Board of Immigration Appeals, Clerk's Office, 5107 Leesburg Pike, Suite 2000, Falls Church, Virginia, 22041.

Name: _____ Alien Number: A _____

My <u>OLD</u> address was:	My <u>NEW</u> address is:
_____ ("In care of" other person, if any)	_____ ("In care of" other person, if any)
_____ (Number, Street, Apartment)	_____ (Number, Street, Apartment)
_____ (City, State and ZIP Code)	_____ (City, State and ZIP Code)
_____ (Country, if other than U.S.)	_____ (Country, if other than U.S.)
	_____ (New Telephone Number)

 SIGN HERE → X _____
Signature Date

PROOF OF SERVICE (You Must Complete This)
I _____
(Name) mailed or delivered a copy of this Change of Address Form on _____
(Date) to the
Office of the Chief Counsel for the DHS (U.S. Immigration and Customs Enforcement-ICE) at _____
(Number and Street, City, State, Zip Code)

 SIGN HERE → X _____
Signature Form EOIR - 33 BIA

Write your full name

Write your A#

Write your old address here

Write your complete new address and telephone number

Write your full name and the date

Sign your full name and write the date

Write the addresses for the government attorneys where you have your Court case

Sign your full name

You can find this form at:

<http://www.justice.gov/eoir/eoirforms/eoir33/ICadr33.htm>

Now, what do I do with these forms once I have completed them?

- * 1) Make two copies of each document
- * 2) Mail the original COV and original COA to the Immigration Court.
- * 3) Mail one copy of the COV and one copy of the COA to the Government Attorneys
- * 4) Keep one copy of the COV and one copy of the COA in safe place for your records
- * We recommend that you send the documents via certified mail so you have proof that you sent them. You can send certified mail from any post office.

After you have sent the documents keep calling 1-800-898-7180 to verify the Court changed to where you are currently living.





I am a little scared
of going to the
Court....What will
happen there?

Remember the Judge decides your case. You should show respect to the judge. Ways to do this include:

- * Wear nice clothes
- * Raise your hand if you have a question
- * Speak loudly and clearly
- * Don't chew gum!

*Rights in The Court



- * Right to an interpreter
- * Right to an attorney, but the government will not provide one or pay for one.
- * Right to ask questions and understand the process

* If you do not have an attorney by your next court date, and you would like time to find one or time to file an application, you can ask the Immigration Judge for a "Continuance,"

The judge may grant you a continuance until a certain date. **You must return on that date or the Judge will order you deported.**

* If you would like to return to your home country, you can request "Voluntary Departure" (VD)

VD is different than deportation. Remember you can only request VD one time in your life.

What am I going to say to the Judge?



We Wish You The
Best Of Luck With
Your Case!

*Immigrant Children Protection Project

<http://www.immigrantjustice.org/resources-immigrant-children-and-young-adults>