

Human Rights Defender Project: Court Observation Form

Date: _____ Observer (full name): _____ This is my first shift

GENERAL

- 1. Last 3 digits of A#: _____ 2. Judge: Mazzie Wood Carr Other
3. Government Attorney Name: _____
4. Was the detainee represented? Yes, In person Yes, by phone No, pro se Attorney failed to appear
a. If yes, what type of attorney? Private (paid & pro-bono) Non-Profit Unknown _____
5. Detainee's country of origin (code & Country): _____
6. Gender: Male Female Transgender/ non-binary
7. Detainee Appears in Person Via Video Didn't appear Reason:
8. Type of Hearing (if more than one, check both): Bond (BRMV) Continued Bond Initial Removal (IRMV)
 Continued Removal (ARMV) Credible/Reasonable Fear (ICFR/IRFR) Withholding only (IWHO) Unknown

BOND HEARING (skip if no bond hearing conducted today)

- 9. Was bond amount agreed to prior to hearing? Yes, \$ _____ No (if yes, skip remaining bond questions)
10. Was bond requested? Yes, Amount if noted \$ _____ No, withdrew bond request
11. Continuance: Offered by Judge Requested by detainee Next bond hearing: _____
12. If requested, did Judge grant bond? Yes, \$ _____ No
13. If denied, why? Ineligible/mandatory detention Danger to society Flight risk Other _____
14. Did parties reserve appeal on bond? DHS: Yes No, waived Detainee: Yes No, waived
15. What factors were mentioned in granting or denying bond? _____

REMOVAL HEARING

- 16. Were pleadings taken? Yes No
17. Did detainee asked to be removed (deported)? Yes No a. If asked for deportation, what words did detainee say?

- 18. What forms of relief were discussed? Not discussed
 42 A LPR Cancellation I-589 Asylum Adjustment of Status
 42 B non-LPR Cancellation I-589 Convention against torture U-Visa or T-Visa
 Voluntary Departure I-589 Withholding of Removal Other/ unsure _____

- 19. If relief was discussed, how did it come up?:
 Discussed eligibility Suggested by judge Submitted previously
 Application requested Submitted today Unsure

20. Did Judge order removal/deportation? Yes No 21. Did Judge grant voluntary departure? Yes No

22. Removal continuance: Offered by Judge Requested by detainee Next hearing: _____ Final/ Merits

CRIMINAL HISTORY

- 23. Was a criminal history mentioned? Not Discussed No criminal Hx All charges resulted in convictions All cases are pending Arrests but no charges All cases resulted in acquittal Attorney had trouble getting reports
If mixed history, elaborate here: _____

24. Detainee’s entry date/ length of time in the US: _____ Unknown

25. Does detainee have family in the US? Yes: _____ No Unknown

LANGUAGE

26. Detainee’s preferred language: _____ 27. Language hearing conducted in _____

28. Was interpreter used? Not needed Physical interpreter Phone interpreter No interpreter available

29. Problems with interpretation: None Not available in preferred language Didn’t interpret all conversation

Multiple attempts to find interpreter Attorney waived interpretation Technical problems with interpretation

HEALTH

30. Was there mention of detainee having mental health issues (including chemical dependency)? Yes No

a. If yes, what was said, did Judge or court require ICE action, did Judge indicate they’d try to find attorney for case?

31. Do you think detainee may have a mental health issue or cognitive impairment? Yes No Can’t tell

a. If yes, please explain: _____

32. Was there mention of serious medical concern or condition? Yes No a. If yes, please explain: _____

HEARING OVERALL:

33. The judge explained to the detainee their rights at the hearing: unsure rights to: to counsel eligibility low cost/pro-bono present evidence speak on own behalf examine evidence against you appeal

For the next set of questions use a 5 point scale 1= strongly disagree 3= neutral, 5= strongly agree

- 34. The Judge took time to explain what was happening. 1 2 3 4 5
- 35. The Judge treated everyone with dignity and respect. 1 2 3 4 5
- 36. The government attorney treated everyone with dignity and respect. 1 2 3 4 5
- 37. The detainee’s attorney provided good representation. 1 2 3 4 5
- 38. The detainee seemed to understand what was happening. 1 2 3 4 5
- 39. The hearing today was unbiased/ neutral. 1 2 3 4 5
- 40. The detainee participated in the hearing. 1 2 3 4 5
- 41. The Judge was trustworthy. 1 2 3 4 5
- 42. The process was fair. 1 2 3 4 5
- 43. The outcome was fair. 1 2 3 4 5

44. Did the Judge ask if detainee had questions? Yes No No, but detainee had representation

45. Comment about Judge’s demeanor, patience, attitude, listening, respect: _____

46. Detainee supporters in court? Family Other supporters Can’t tell None Supporters acknowledged

47. How long did hearing last? Less than 5 minutes 5-10 minutes More than 10 minutes

48. Could you hear everything that was said in courtroom (volume) Yes No

Additional Notes -Please include significant direct quotes, if any. Note if previously granted bond, but unable to pay, couldn’t find attorney. Comment on what did or did not seem fair. _____

