The flow of immigration court cases

Deportation proceedings in immigration court are complex and require zealous representation so that people can navigate them successfully. Programs should be designed and funded to provide representation in custody decisions, merits hearings and appeals, and collateral proceedings. Representation should begin as early as possible and continue throughout the life of the case.

**Arrest/detention**
(community arrest, border apprehension or surrender, transfer from criminal legal system)

**Fast-track deportation**
Processes by which immigration officers can deport immigrants with prior deportation orders or certain convictions without going before a judge

**Custody decisions**
At this stage ICE or the immigration judge has the authority to grant someone’s release through bond. ICE may also grant release through humanitarian parole.

**Deportation proceedings in immigration court**
The process by which a person argues their case in front of an immigration judge against an attorney from Immigration & Customs Enforcement (ICE)

**Collateral proceedings**
Immigration court is one of several settings where decisions are made about a person’s case. Many people will pursue “collateral proceedings” outside of immigration court to resolve legal issues that may affect their case by allowing for bond eligibility, establishing grounds for termination, or qualifying for relief. These proceedings may occur concurrently with deportation proceedings.

**State court**
(for example, post-conviction relief to challenge the conviction underlying the government’s case)

**Federal court**
(for example, habeas proceedings to argue that detention is unlawful, federal post-conviction relief)

**U.S. Citizenship and Immigration Services**
(for example, applications for certain forms of relief)

**Merits hearing and appeals**
This stage is akin to a trial hearing, when a person presents a claim that they qualify under the law to remain in the United States and a judge considers the details of the case.

![Diagram showing the flow of immigration court cases, including stages like arrest/detention, custody decisions, deportations, and collateral proceedings.](image-url)