

Deportation Process

The events outlined in this article represent the typical timeline for the detention and deportation process. Some, or all of these scenarios could apply to you if you are (1) picked up by Immigration and Customs Enforcement (ICE) or (2) if your case is referred to the immigration court. The only two ways to leave ICE custody are through a bond or winning your deportation case in court.

Arrested by ICE

After ICE arrests you, they process you at their local office and will then house you at a detention facility or jail. They may or may not offer you the chance to pay a bond, which would allow you to leave custody. If ICE does not offer you a bond, or they offer you a bond that costs more than you can pay, you will stay in their custody throughout your deportation proceedings.

Master Calendar Hearing

Your first deportation hearing before an immigration judge is called a master calendar hearing. The judge will ask if you are ready to answer the charges that Immigration made against you, or if you are ready to go forward with your case. This is your opportunity to ask the judge for time to find an attorney if you don't already have one. However, you cannot postpone your hearings indefinitely by asking for time to find an attorney.

Also, if ICE has not offered you a bond, or offered you a bond you cannot afford, you can ask the judge for a bond hearing. This would allow you to renegotiate the cost of your bond. Be sure to check where your bond hearing will be held, because many immigration courts have a separate location for those who are in ICE custody.

For most court hearings, you can find your next date by calling 1-800-898-7180. But for detention hearings, you may want to call the court directly. Wisconsin detainees are typically seen at one of two [Chicago Immigration Courts](#) (312-294-8400). You can [view a full list of U.S. Immigration courts](#) at the Department of Justice's website.

An attorney who represents U.S. Immigration will also be at your master calendar hearing. They are sort of like a prosecutor throughout your case.

Requesting a Bond

Bond hearings are not automatic; you must request one from the judge before or during your master calendar hearing. Do not ask for a bond hearing before you are ready with all your evidence, because you can apply only once. Unless you show you are no longer a flight risk or a danger to the community, you will not be allowed to request another bond hearing.

Bond Hearing

Your bond hearing is completely separate from your other deportation hearings. Any evidence you offer at your bond hearing will not become part of the record in your other hearings, so you will have to submit it again. To get a bond, you must convince the judge that you are not a danger to the community and you are not a flight risk. The attorney representing U.S. Immigration will also be at this hearing, and they may try to convince a judge not to let you out on a bond.

People with drunk driving tickets and records of domestic violence crimes are often considered a danger to the community. If you have a record that suggests you are a threat to the community, you would have to show the judge that you are rehabilitated. Some ICE facilities offer Alcohol and Other Drug Abuse (AODA) and Anger Management classes.

To prove that you are not a flight risk, you must convince the judge that you will come to all your future hearings. One way to convince the judge that you will come back is to show that you qualify for a form of relief such as asylum or cancellation of

removal.

If you are denied bond, you can appeal a judge's decision. However, you have to stay in custody while the appeal is pending.

Deportation Hearing

Also known as a merits hearing, this is your final hearing. You must submit your evidence to the judge well before your hearing, so do not wait until the last minute! You must come to your hearing prepared with all of your witnesses and a detailed explanation as to why you qualify for a form of relief such as asylum or cancellation of removal. The attorney who represents US Immigration will often argue that you do not qualify for anything from the court and that you should be deported.

Appealing a Decision

You can appeal any court decision in the deportation process by filling out a specific form and sending a payment to the Board of Immigration Appeals (BIA). They must receive the appeal and your payment within 30 days, or you lose your right to appeal. This process is very tedious, and you should work with an immigration attorney if you don't have one already.

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