

What to Do if You or a Loved One Is Detained

This resource is designed to help immigrants and their families better understand what to do when someone is detained by immigration officials. For more information about immigrants' rights, visit immigrantjustice.org/KnowYourRights.

Immediate steps

1. Ask your friend/family member for their A-Number(A#)

- This number usually contains 9 digits.
- ICE will give them this number upon arrest.
- If your friend/family member filed a previous immigration application, it's likely they will already have an A# on any documents from immigration.
- If your friend/family member was arrested at the border and allowed to enter, it's likely they will already have an A# in their immigration documents.

2. Locating someone in detention

- Use this link to locate your friend/family member if they have been detained by ICE: <https://locator.ice.gov/odls/#/search>. Search by either A# & country of birth, or person's biographical information.
- ICE has information (including location and contact information) for the detention centers it uses on its website: <https://www.ice.gov/detention-facilities>

3. Communication/Visits

- Once you locate your friend/family member using the link above, you may contact the detention facility to schedule calls or visits. Some facilities allow for in-person visitation while others may provide for video-visitation only.
- Each facility has its own process for setting up phone accounts so that your friend/family member can call you. You should contact the facility to ask about setting up a phone account for your loved one.
- Similarly, call the facility for information on how to send your loved one money if you want them to have funds to purchase basic necessities or food at the detention center.

4. Report any raids

- Write down details about what happened as soon as possible.
- Call ICIRR's Family Support Hotline: 1-855-HELP-MY-FAMILY (1-855-435-7693) English/Spanish/Korean/Polish.

5. Gather immigration and criminal documents if any

- Collect any prior immigration application filed and receipt notice.
- Collect police reports, probable cause affidavits, charging documents, and sentencing documents.

6. Locating immigration court hearing information

- Using the A #, you can look up their next immigration court hearing using this link: <https://acis.eoir.justice.gov/en/> or call 1-800-898-7180.

Will my loved have a court hearing?

1. Who does NOT have a right to a hearing

The following people DO NOT have a right to a court hearing and may be deported without going before a judge:

- **Outstanding removal orders:** A judge already ordered someone removed because they missed court, lost their immigration case or were not eligible for a court hearing. ICE can remove them with the old removal order unless the noncitizen files a successful motion to reopen their immigration case.
- **Prior deportations:** ICE can remove people who were previously deported, including people deported in expedited proceedings at the border, without the right to a court hearing.

Check for outstanding removal orders and prior deportations by an immigration judge on the immigration court portal: <https://acis.eoir.justice.gov/en/>

- **Aggravated felony offenses:** People who have been convicted of offenses which are considered aggravated felonies under immigration law and who also do not have lawful status may be removed from the US without a hearing.

For prior deportations and aggravated felony convictions, if someone expresses a fear of returning to their country, they will have a Reasonable Fear Interview (RFI) with an Asylum Officer. If they pass the RFI, then they will have hearings before an immigration judge to seek protection based on their fear. If you are afraid, tell every immigration official you meet.

- **Expedited removal orders:** Noncitizens who are apprehended at or near the border may be removed by an expedited removal order. They only get a hearing if they express a fear of returning to their country of origin and pass a Credible Fear Interview (CFI) with an Asylum Officer.

Important: ICE is increasingly trying to apply expedited removal to more people, even those who already had a court hearing or who have been in the United States for a long time. If this happens, follow the expedited removal guidance above. If this happens at a court hearing, tell the judge that you oppose dismissal of your case ([example of what to say](#)).

2. Who DOES have a right to a hearing?

All other noncitizens, including lawful permanent residents and individuals who are residing in the US but who are undocumented, WILL have the right to request a court hearing with an immigration judge to apply for relief from removal.

- **Notice to Appear (NTA):** ICE will serve noncitizens with a charging document that initiates formal removal proceedings called a Notice to Appear (NTA). The hearing date on the NTA is typically incorrect. The court will issue a new notice of hearing once the court processes the NTA. If the noncitizen is detained, it will take 2-4 weeks for the court to schedule their first court hearing. You should check the court portal for updates.
- **What to expect:** A noncitizen will typically have several hearings as part of their removal case. If you ask for more time to find an attorney, it is common for an immigration judge to schedule you for a new hearing in 2-3 weeks to give you a chance to look. It is extremely unlikely that someone will be removed at their first court hearing unless they specifically say they want a removal order.
- **How to attend a hearing:** If your loved one is scheduled for court in the Chicago Immigration Court, visit the court's website for information on how to attend court:
<https://www.justice.gov/eoir/chicago-immigration-court>. Detained hearings are usually held by video conference, and information on how to attend the hearings are here:
<https://www.justice.gov/eoir/find-immigration-court-and-access-internet-based-hearings>

Can my loved one be released on bond?

Not everyone has the right to have a bond hearing. Whether someone is eligible for bond depends on their immigration and criminal history. For instance, noncitizens with outstanding removal orders, prior deportations, and convictions for aggravated felonies as listed above, are not eligible to be released on bond. Noncitizens with certain criminal convictions are subject to mandatory detention which means an immigration judge cannot grant them a bond.

Other detained noncitizens in removal proceedings may have the right to request a bond hearing. Because a person can usually only request one bond hearing, it is best to find an attorney to request bond or at minimum to request more time at the initial court hearing to prepare letters of support and other evidence for the bond hearing.

The resources at the end of this document include more advice on bond.

Finding an attorney or representative

The immigration court system does not guarantee you a free lawyer if you cannot afford one. Below are some tips for finding free or private lawyers who can help you.

If you do not have an immigration attorney or Board Accredited Representative, you or your loved one should ask the immigration judge for time to find a representative. It can be difficult to find someone with availability, so reach out to several offices at once.

Be careful of fraud. Notarios are not always lawyers in the United States and cannot necessarily practice law or appear in immigration court. In addition, immigration law is complicated so find a practitioner experienced in immigration law. Check with your local state bar association and the list of currently disciplined immigration practitioners to make sure the representative is in good standing:

<https://www.justice.gov/eoir/list-of-currently-disciplined-practitioners>

Below is a list of resources for finding an attorney or representative. NIJC cannot guarantee that any of the organizations listed on this sheet will be able to represent you, and NIJC is not responsible for services rendered by these organizations.

- **National Immigrant Justice Center (NIJC):** If you are detained or are calling about someone in detention, call the NIJC Detention Project at (773) 672-6599 on Tuesdays from 11:00 a.m. to 2:00 p.m. Central. Detained immigrants call collect at (312) 583-9721 or use the pro bono platform and NIJC's 3-digit code 565. <https://immigrantjustice.org/contact-us>
- **Midwest Immigrant Defenders Alliance (MIDA):** MIDA provides free legal services to eligible immigrants in detention through the National Immigrant Justice Center (NIJC), The Resurrection Project (TRP), The Immigration Project (TIP), and the Law Office of the Cook County Public Defender (CCPD). If a MIDA representative is present the day of your first hearing, you might have the opportunity to request a free representative, but MIDA representation is not always available. <https://immigrantjustice.org/midwest-immigrant-defenders-alliance>
- **ICIRR attorney referral list (Illinois):** <https://www.icirr.org/resources>
- **Immigration Court's list of free attorneys and representatives:** <https://www.justice.gov/eoir/recognized-organizations-and-accredited-representatives-roster-state-and-city>
- **Immigrant Advocates directory:** <https://www.immigrationadvocates.org/legaldirectory/>
- **American Immigration Lawyers Association directory:** <https://ailalawyer.com/>

Additional resources for understanding your case

- **NIJC Know Your Rights Manual for People in Detention:** <https://immigrantjustice.org/know-Your-Rights/Detained-Pro-Se-Manual>
- **Other NIJC “Know Your Rights” resources:** <https://immigrantjustice.org/know-your-rights>
- **Immigration Court self-help materials:** <https://www.justice.gov/eoir/self-help-materials>
- **Community Justice Exchange guide to paying bond:** <https://www.communityjusticeexchange.org/en/resources-all/cebondsguide>

- **ACLU: What to Do When Interacting with ICE:** <https://www.aclu.org/we-have-rights>