



LEGAL AID SOCIETY OF HAWAI'I



IMMIGRATION: REMOVAL PROCEEDINGS

REMEMBER:

This is meant to provide general information, and does not provide specific legal advice about your individual case. The law often changes. Each case is different.

Hawai'i Immigrant Justice Center *at the*
Legal Aid Society of Hawai'i
924 Bethel Street
Honolulu, HI 96813

www.legalaidhawaii.org

Legal Aid's Hotline:

O'ahu: 808.536.4302

Neighbor Islands: 1.800.499.4302



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Removal Proceedings

If you are in *removal proceedings*, you should have received:

1. A charging document explaining why you are in proceedings, and
 2. A Notice to Appear (*NTA*) in Immigration Court. This will state the charges that are the reason for your removal proceedings.
- Common reasons for removal proceedings are overstaying a visa or criminal convictions.
 - At the first hearing, you will be given information on your case. You may be given time to find an attorney. Make sure you bring valid identification (ID) or you will not be allowed to enter the building. If you do not have valid ID, you should contact Immigration and Customs Enforcement (ICE) before your hearing date to make proper arrangements.

Please be aware of the following:

- You are **not** entitled to free representation. You may hire an attorney to represent you. The court will **not** provide an attorney. However, if you do not have an attorney, the Immigration Judge (*IJ*) and Department of Homeland Security attorneys may provide information on remedies and defenses available to you.
- If you would like an attorney but have not obtained one by the hearing date, you can ask the judge to move the hearing to a later date to give you time to hire an attorney. However, you must still show up at the hearing and ask for more time. The judge is not required to grant your request, so you should make every effort to hire an attorney before your hearing date.
- Legal Aid may **not** refer to specific attorneys, and may **not** represent detained or incarcerated undocumented individuals. You can find the names and contact information for attorneys who work on immigration issues in the yellow pages of your phone book or by contacting the Hawai'i State Bar Association.
- If you do not attend the hearing or if you miss the hearing, the Immigration Judge (*IJ*) can order that you be deported.
- If you move or change your address during removal proceedings, you must inform the Immigration Court, U.S. Immigration and Customs Enforcement (ICE), and your attorney about your new address and contact information.
- If you prior pled *no contest* or *guilty* to a crime, and if the criminal court or your own criminal attorney failed to advise you on the consequences, you may want to obtain a criminal defense attorney to see if you can withdraw your plea.
- If you do not agree with the decision of the Immigration Judge, you have 30 days to appeal the decision to the *Board of Immigration Appeals*.

Legal Aid does not have the resources to help everyone. If you are eligible, the Hawai'i Immigrant Justice Center (HIJC) at Legal Aid will determine if they can help you with your individual case. **Legal Aid may not be able to assist individuals who are detained or incarcerated.**