

IMMIGRATION JUSTICE CAMPAIGN



Timeline for Defensive Asylum Cases

Note that some hyperlinks within this document link to resources on the AILA/AIC Immigration Justice Campaign's (IJC) website. To access those resources you will need to create an account with IJC.

First:

- Review your client's Notice to Appear (NTA)
- Calculate your client's asylum filing deadline
- Ensure that you know when your client's next hearing will take place and determine:
 1. Whether the hearing is a master calendar or an individual (merits) hearing
 2. Whether your client has already submitted written or oral pleadings
 3. Whether your client has already filed documents with the immigration court
 4. Whether another attorney has entered an appearance for your client
 5. Whether the judge has set any deadlines or entered any orders relating to the upcoming hearing
- Be prepared to file [EOIR-28](#) (Notice of Entry of Appearance for the Immigration Court). Note that the court will not accept an EOIR-28 without an EOIR ID number.
- Be prepared to enter pleadings on your client's behalf.
- Identify your client's best language and be prepared to orally request an interpreter in that language during the master calendar hearing.
- Learn what happens at master calendar hearings by watching this short [webinar](#).

Before filing the I-589

- Begin preparing I-589 application and your client's [declaration](#). (If necessary)
- Discuss the need for corroborating evidence with your client, and [work with him/her to identify potential sources of evidence](#) (both documents and potential witnesses).
- If applicable, and with your client's consent, establish contact with your client's friends/family members in the U.S. and/or abroad.
- Begin to assess whether an expert witness (medical, psychological and/or country conditions) would be helpful to your client's case. If you think an expert would be helpful, speak with your mentor.
- Begin preliminary [country conditions](#) research.

In preparation for filing the I-589

- Review the application with your client and ensure that every question is read to them in their best language.
- If the judge has instructed that you file your client's declaration with the asylum application, review the declaration word for word with your client, and ensure that it is read to them in their best language.
- Follow [these instructions](#) to mail a copy of the first three pages of the I-589 to the USCIS Service Center for processing. Attach a copy of the USCIS receipt to the I-589 when you file it with the court.

After filing the application

- Make note of the call-up date (filing deadline for all supplemental documents) and continue working with your client to collect corroborating evidence.
- Stay in touch with your client and file a [change of address form](#) if they move.
- File all supplemental documents (brief/prehearing statement, witness list, corroborating evidence, sworn statements of lay and/or expert witnesses, motions to allow telephonic testimony, country conditions evidence, etc.).
- Begin to prepare client and potential witnesses for trial.

Two weeks before the individual hearing

- Set up a one-on-one meeting with your mentor to prepare for the hearing.

- Continue to prepare your client and witnesses to testify.
- Work with your mentor to draft an outline for your closing argument.

After the decision

- Let us know what happened! Contact your mentor.