



**U.S. Department of Justice**  
Executive Office for Immigration Review  
*Office of Policy*  
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# FACT SHEET

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## Observing Immigration Court Hearings

The Executive Office for Immigration Review (EOIR) administers the nation's immigration court system. Immigration court hearings are civil administrative proceedings that involve foreign-born individuals (called respondents) whom the Department of Homeland Security (DHS) has charged with violating immigration law. In these hearings, immigration judges determine whether respondents should be ordered removed from the United States or granted relief or protection from removal (such as adjustment of status, asylum, cancellation of removal, or other remedies provided by immigration law) and permitted to remain in the country.

Immigration court hearings are open to the public, with limited exceptions, as specified in law.

### **Immigration court hearings are closed when:**

- The case involves information subject to a protective order;
- The case involves an abused spouse or child, and in the case of an abused spouse, a hearing may be opened to the public with the abused respondent's consent;
- The case involves a respondent who, based on provisions of the Violence Against Women Act (VAWA), is a beneficiary of an application for relief under specific sections of the Immigration and Nationality Act, among other federal statutes (VAWA is a law that seeks to protect human trafficking victims, abused spouses, abused children, and certain other victims of violence);
- The immigration judge grants an oral or written motion a party files to close a hearing;
- The immigration judge makes a determination to close a hearing to protect witnesses, parties to the case, or the public interest;
- The immigration judge makes a determination to close a hearing, or limit the number in attendance, based on consideration of the physical facilities and space available for the hearing; or

— more —

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- The respondent in an asylum case, which by regulation provides for additional privacy protections, requests that the hearing be closed.

#### **Before going to observe a hearing, please note:**

- You do not need to notify the immigration court in advance of your visit. You are, however, encouraged to contact EOIR's Communications and Legislative Affairs Division to coordinate your visit.
- EOIR does not control entry to the detention facilities in which immigration courts are located. As such, please contact the appropriate DHS Immigration and Customs Enforcement public affairs office (based on the location of the detention facility you want to visit) at least two business days in advance to learn of any security requirements for entry to the building. This advance notice will allow facility personnel sufficient time to process your visit request and to arrange for an escort.
- Using cameras or recording devices in courtrooms or other EOIR space is prohibited.
- When courtroom space is limited, media representatives have priority over the general public.

#### **More Information:**

- Listing of Immigration Courts – <https://www.justice.gov/eoir/eoir-immigration-court-listing>;
- Hearing Locations – <https://www.justice.gov/eoir/immigration-court-administrative-control-list>;
- Public Access - Immigration Court Practice Manual, Chapter 4, Section 4.9 <https://www.justice.gov/eoir/reference-materials/ic/chapter-4/9>
- EOIR: An Agency Guide – [https://www.justice.gov/eoir/page/file/eoir\\_an\\_agency\\_guide/download](https://www.justice.gov/eoir/page/file/eoir_an_agency_guide/download)

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*The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. EOIR's mission is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings. EOIR is committed to ensuring fairness in all the cases it adjudicates.*