

INFORMATION YOU SHOULD KNOW FOR YOUR IMMIGRATION BOND HEARING

WHAT IS A BOND?

The bond is what immigration asks for as a guarantee that you will attend all of your hearings. You are promising that, if they release you from detention, you will go to all your court hearings and do what the judge orders you to do—even if that includes being deported. Remember, if you get out of detention on bond it is not the end of your deportation case. You will still need to go to all your court dates. If you miss even one hearing, you will likely be ordered deported without the chance to give evidence to the Judge or ask for permission to stay in the U.S. The bond money will be lost.

ICE usually assigns detainees a bond amount by 3:00pm on the day the detainee arrives with ICE. The minimum bond is usually \$10,000, but can go as high as \$15,000, \$20,000, or no bond. The immigration bond must be paid in full before a detainee can get out of custody. The detainee usually knows his bond amount by 3 p.m. and is usually allowed to call a family member to tell them.

AM I ELIGIBLE FOR A BOND?

A detainee is eligible for a bond when they prove that they are NOT a danger to the community and are NOT at flight risk. In some cases, a detainee is not eligible for a bond, for instance due to certain criminal convictions or because they have already been deported in the past. In other cases, ICE refuses to give a bond to detainees who they think are not cooperating with them by answering their questions. The detainee should talk to their pro bono immigration lawyer about this before their first hearing to find out if he/she is eligible for bond.

HOW TO ASK FOR A BOND HEARING

ICE may give paperwork with a bond amount or the words “no bond.” The detainee can ask the judge to give a bond hearing and consider setting a bond or lowering the amount that ICE gave. There are a few ways to ask for a bond hearing:

- Tell the judge at your first hearing that you’d like a bond hearing as soon as possible. Bond hearings are totally separate from your deportation hearings, even though you will be presenting your bond case to the same judge who considers your deportation case. If you ask for a bond hearing when you’re at court, the judge will usually give you a hearing in the coming days or weeks.
- Write the judge a bond hearing request letter. Be sure to include your name, A-number, and your request to have a bond hearing as soon as possible.

If your hearing is scheduled very quickly and you are still gathering evidence, you can tell the Judge you are waiting for more letters and you want to reschedule the bond hearing to give you more time to get the documents you need. This may be a good idea as it is best to be prepared for your bond hearing.

WHAT TO BRING TO BOND HEARING:

“**Sponsor Letter**”: This is an important document that you can give the judge. The sponsor should write a letter that includes:

1. How the sponsor knows the detained person.
2. What legal immigration status the sponsor has (needs to be U.S. citizen or a legal permanent resident). The sponsor should also attach proof of their immigration status to the letter.

3. An address where the detainee and the sponsor will live. This has to be a street address, not a P.O. Box. The sponsor must attach a piece of mail with their name and address on it to prove that they're living at the address. They can use a phone or electric bill with their name and address on it.
4. How they will support the detainee if released and any other factors to indicate ties to community.

Other Supporting Documents: In order to prepare for your bond hearing, it's your job to gather as much proof as possible to show the judge that you have strong ties to the community and that you won't commit any crimes if you're released. These documents may also be useful for your case beyond the bond hearing. The following are examples of good evidence:

	Received
Any evidence that you are eligible or have a strong case for relief from deportation (I-130 approval notice, evidence of past persecution, etc.)	
Proof that my close relatives have legal status in the United States (Birth Certificates of US Citizens, Legal Permanent spouse, parent, children)	
Tax Records	
Letters of support from as many family members as possible (including drawings from children) <u>and</u> a copy of the identification of the person who wrote the letter	
Letters of support from friends <u>and</u> a copy of the identification	
Letters from people who know me (neighbors, landlord, employer, religious leader, etc.)	
Letters showing community involvement (church, volunteering)	
A letter from you reflecting on why you want to stay in the US	
Proof of financial support my family (rent receipt, child support)	
Letters from religious organizations I belong to	
Photos of family (birthday parties, holidays, pets, babies, etc.)	
Certificates from Rehabilitation Programs	
Informational Pamphlets on rehabilitation programs in my area (domestic violence, alcohol or drug abuse, anger management)	
Social Security Records	
Evidence of property ownership	
Certificates, diplomas, awards, etc.	
Copies of my medical records and my close relatives	
Copy of my marriage certificate	
Proof of any debt that I have (mortgage, car loans, medical, etc.)	
Proof of insurance (car, medical, etc.)	
Evidence of service in the armed forces	
Letters from counselors or doctors, describing health problems or trauma showing impact on detainee if he/she was deported.	

- Make sure that each person writing a letter includes **a copy of their identification** with the letter, including a driver's license, a permanent resident card, or a passport.
- **If the letters aren't in English, you'll need to translate them** and include the "Certificate of Translation" that's at the end of this packet.
- Ideally, you should make three copies of all original documents. One copy will go to the judge. The other copy will go to the government attorney. You'll keep the third packet for you. You can either mail your packet to the government attorney and the judge or bring it with you to your hearing. If mailed

1 copy to:
 Immigration Court
 1 Federal Drive, Suite 1850
 Fort Snelling, MN 55111

1 copy to:
 Office of Chief Counsel
 1 Federal Drive, Suite 1800
 Fort Snelling, MN 55111

HOW TO POST A BOND

If you need to post a bond, payments will only be accepted in the following forms:

- BANK CERTIFIED/CASHIER'S CHECK
- BANK/POSTAL MONEY ORDER (Bonds over \$10,000 must be paid with certified check)

Make **ONE** check or money order payable to:

IMMIGRATION AND CUSTOMS ENFORCEMENT

NOT acceptable:

- Cash
- Credit cards
- Personal checks
- Money orders from sources other than the U.S Post Office or a bank.

You **MUST** provide your social security number or Tax ID numbers as well as a proper ID in order to post a bond.

** If you are here with the incorrect form of payment, you will have to return with the proper payment type before we can process your request.

1 Federal Drive suite 1601 – Main Floor
Fort Snelling, MN 55111
Telephone; 612-843-8600 ext. 5
Bond Posting Hours: 9:00 AM – 2:00 PM
Monday- Friday

BOND HEARING QUESTIONS AND ANSWERS:

How do I find out the bond amount for my family member?

Usually ICE tells the detainee. But you can also call ICE at 612-843-8600.

Who can pay the bond?

The person who pays the bond must be a Lawful Permanent Resident or U.S. citizen who speaks English (to be able to read the bond contract). The must bring their ID and social security card. Note: the person who pays your bond should be someone you trust. It is this person who the money will be returned to at the end of the case if you appear at all of your hearings and complete all requirements.

What is the form of payment?

It must be a postal money order (purchase from the Post Office) or a Cashier's Check purchased from a bank. It must be made out to: U.S. Immigration and Customs Enforcement.

Where is the bond paid?

The ICE office is at 1 Federal Drive, Suite 1601, Fort Snelling, MN 55111. Hours are 9 a.m. to 2 p.m. It is recommended to get there early, as it is probable that the detainee will be released the same day, or the next day at the latest. The person paying the bond should be prepared to wait a couple of hours for the payment to be processed.

Is it possible to ask for a lower bond?

When the detainee has their first hearing in detained immigration court, he/she can ask the judge to reduce his/her bond. Sometimes the judge will lower it a bit, depending on factors such as criminal history, and whether the detainee qualifies for any legal remedy. There are usually volunteer lawyers at the court, and they can help you try to ask the judge to lower your bond. The detainee will likely be in custody for about ten days before they can see a judge and ask for a lowering of bond.

Do I get the money back?

Bond will be returned with interest if the detainee cooperates, even if the outcome is ultimately negative.

What is an Intensive Supervision Appearance Program? (ISAP)

ISAP is a program wherein ICE makes home visits and the person is required to appear at the ISAP office periodically.

What are the advantages to paying the bond?

The detainee will not have to stay in detention. He/she will have more time to review his/her options and meet with an attorney. As long as the person attends all court hearings and complies with any orders from the judge, the bond money will be returned at the end of the court process (in some cases, the process can take several years).

BOND COMPANY REFERRAL LIST

Immigrant Law Center of Minnesota is not associated with these agencies in anyway. The companies on this list will likely charge you a fee for their services. It is your responsibility to ask and understand the terms of the agreements you make with any bond company.

Federal Immigration Bonding
612-388-1356 (Twin Cities)
507-289-145 (Southern MN)
www.immigrationbonding.com

Action Immigration Bail Bonds
1-800-940-8889
www.immigration-bail-bonds.com
Ft. Lauderdale, FL

Serbus Bonds
Terry Serbus
320-523-2427
8-77-325-3363
www.serbusbonds.com