

# Chicago Appleseed Fund for Justice

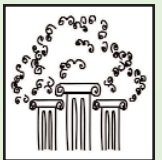
An Affiliate of Appleseed  
[www.chicagoappleseed.org](http://www.chicagoappleseed.org)

## Immigration Court Reform Videoconferencing in Removal Proceedings: A Case Study of the Chicago Immigration Court

Many immigrants faced with deportation are not allowed to be physically present at their hearings. In 2002, the Chicago Immigration Court began using videoconferencing for removal hearings involving immigrants who were being held in INS detention facilities outside Chicago. Previously these immigrants had been brought to the court in downtown Chicago, where they could confer with their lawyers before being called for an in-person hearing. But in 2002, ostensibly to increase efficiency, INS began bringing immigrants to Broadview (an INS holding facility 20 miles from downtown Chicago). There, they would be taken, one by one, into a small room with a guard, where they could watch what was happening in the downtown courtroom on television. On the other end, the immigration judge, the trial attorney, and the immigrant's attorney (if any) could see the immigrant as a small figure on courtroom televisions. A telephone line enabled the people in each location to speak with one another.

In 2004, Chicago Appleseed and the Legal Assistance Foundation of Metropolitan Chicago decided to study the use of videoconferencing in this context. Their report, "Videoconferencing in Removal Proceedings: A Case Study of the Chicago Immigration Court," was released in August 2005. After examining the results of observations of more than one hundred hearings, the study found videoconferencing riddled with problems – equipment failure or malfunction, lack of proper language interpretation, little or no ability for detainees to communicate privately with their counsel, exhibits that the immigrants did not have or could not see, to name only a few. In many cases, it was evident that the immigrants did not understand the proceedings, and that the immigration judges were making credibility determinations about people they could barely see or communicate with. This marginalization of an already vulnerable population raises serious concerns.

"The concerns this study raises about teleconferencing deserve careful consideration. Due process is a fundamental right in the United States, and all immigrants should be able to expect equal treatment and a fair hearing when they appear before the court. I want to thank the Chicago Appleseed Fund for Justice and the Legal Assistance Foundation for their work on this critical issue."



U.S. Representative Jan Schakowsky

Chicago Appleseed and the Legal Assistance Foundation believe a moratorium on the use of videoconferencing is required until the system functions better. The report contains recommendations for improving the process, such as better technology, better training for those who will use the technology, better interpretation systems, advance notice to immigrants that their hearings will take place by videoconferencing (including an explanation of what that means), and procedures for detainees to seek in-person hearings if they have good cause.

Chicago Appleseed will continue its efforts on behalf of immigrants by advocating for change in this unfair system. In 2006, a series of town hall meetings will highlight the issue and propose a call to action. To read our entire study or see a list of upcoming events, visit our website at [www.chicagoappleseed.org](http://www.chicagoappleseed.org).

"Sowing the Seeds of Justice"