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Description automatically generated**

**PRO SE TEMPLATE FOR**

**MOTION FOR WEBEX HEARING -- CHECKLIST**

1. Cover page
2. Motion
   1. **Additional evidence could include**: evidence of compliance with ICE check-ins, an article [like this one](https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard) about the difficulty of obtaining representation once someone is detained, **any other compelling evidence** like specific **medical needs** of the person, their children or spouse; evidence of long travel time and/or cost of travel.
3. Certificate of Service – you must file the original motion with Court and a copy to the Office of Chief Counsel (the prosecutors office)! Find the address [here](https://www.ice.gov/about-ice/opla).
4. E-61, Notice of Entry of Limited Appearance (anyone assisting someone in a *pro se* capacity **must** complete this form and it must be included with the submission)

\*\*\*\*\*

**If you do not include additional evidence**, be sure to remove the page entitled “Table of Contents” and all reference to additional evidence in the Opposition.

**All highlighted portions** must be changed to include information specific to the individual and their case.

**The Motion should be filed as soon as possible before the upcoming hearing.**

**WARNING:**

To appear via internet, the Immigration Judge must **GRANT** your motion. IF the judge does not grant your motion or does not respond, YOU MUST APPEAR IN PERSON OR CAN BE ORDERED REMOVED.

**Non-Detained / Pro se**

Respondent’s Name

Address

Phone Number

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**NEW YORK IMMIGRATION COURT**

**NEW YORK, NY**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

)

In the Matter of: )

)

NAME ) A number

)

Respondent )

)

In Removal Proceedings )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Immigration Judge: Next Hearing Date:**

**Motion to Appear via WebEx**

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**NEW YORK IMMIGRATION COURT**

**NEW YORK, NY**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

)

In the Matter of: )

)

NAME ) A number

)

Respondent )

)

In Removal Proceedings )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I am scheduled to appear for a master calendaring hearing before this Court on \_\_\_\_\_\_\_\_\_\_ (date). I request that the Court allow me to appear for my upcoming calendar hearing via WebEx. As explained below, good cause exists to allow me to appear virtually, and Immigration Judges have the discretion to allow for virtual appearances. EOIR PM Ch. 4.5; *see also* INA § 240(b)(2)(A)(iii) (authorizing videoconferencing).

1. Since my arrival in the United States, I have complied with all immigration-related requirements. I have attended my ICE check-ins, previous master calendar hearings, and I have submitted my I-589 application.
2. Video appearances are specifically contemplated by the Immigration and Nationality Act, *see id.*, and there would be no prejudice to the Department if I am allowed to appear via WebEx. WebEx appearances were the default for years during and after the Covid-19 pandemic and continue to be the default for detained proceedings.
3. **CHANGE THIS PARAGRAPH TO BE RELEVANT TO YOUR SITUATION:** It is a hardship for me to appear in person for the following reasons: I live in XXX (name of town/city), which is XXX hours away; I am not working and travel is prohibitively expensive, with a bus ticket costing $XXX; I suffer from XXX medical condition; my children, who are X and X years old, are in school and I am a single parent and have no one who can bring them to school or pick them up; my child suffers from XXX medical condition.
4. ICE is arresting people after Immigration Court hearings. The possibility of being arrested and detained during my proceedings and will cause me unconscionable harm. I will be unlikely to find an attorney if I am arrested and detained and I believe I will be quickly deported to a country where I am likely to be persecuted and/or killed. I am terrified to return to my country of origin because here describe some of the facts of the asylum claim. I will also be separated from my children.

Considering these circumstances, I ask that the Court allow me to appear via WebEx for my upcoming hearing.

Respectfully submitted,

NAME

**Table of Contents**

|  |  |  |
| --- | --- | --- |
| **Tab** | **Description** | **Page No.** |
| A |  |  |
| B |  |  |
| C |  |  |

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**NEW YORK IMMIGRATION COURT**

**NEW YORK, NEW YORK**

In the matter of :

:

**NAME** : **A NUMBER**

:

The Respondent :

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ :

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the **RESPONDENT’S MOTION FOR WEBEX HEARING**, it is HEREBY ORDERED that the motion be □ **GRANTED** □ **DENIED** because:

□ DHS does not oppose the motion.

□ A respondent to the motion has not been filed with the court.

□ Good cause has been established for the motion

□ The court agrees with the reasons stated in the opposition to the motion. □ Other:

Deadlines:

□ The application(s) for relief must be filed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ The respondent must comply with DHS biometrics instructions by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Immigration Judge

**Certificate of Service**

This document was served by: [ ] Mail [ ] Personal Service

To: [ ] Alien [ ] Alien c/o Custodial Officer [ ] Alien’s Atty/Rep [ ] DHS Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: Court Staff \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Certificate of Service

I, NAME, certify that I served a copy of this Opposition to Motion to Recalendar, on the Department of Homeland Security, located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (address), on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date). Service was completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (indicate how the copy was sent – via regular mail, USPS, FedEx, etc).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of individual who mailed the motion