

The Commander's Palace:

Three perspectives in removal proceedings – The IJ, ICE, and Respondent's Counsel

AILA MidSouth and Texas Chapter
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The Honorable James Nugent
Charles Wall, Deputy Chief Counsel, ICE, New Orleans, LA
Barry Frager, Memphis, TN
Kelli Stump, Oklahoma City, OK

The Immigration Judge

What does the IJ want?

- ▶ Punctuality is Key -- Be on time
 - ▶ Dishonesty will get you nowhere
 - ▶ Be Efficient
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The Immigration Judge

Question to Judge Nugent:

- ▶ In your court, what are some practice pointers you could give both new and more seasoned attorneys?

The Immigration Judge

Question to Judge Nugent: In your court, will you grant pre-trial conferences?

- ▶ If yes, how does a party request one and what should the request entail?
 - ▶ If yes, will the pre-trial conference be on the record?
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The Immigration Judge

Question to Judge Nugent: Will you consider one-sided motions to administratively close proceedings?

- ▶ If so, under what circumstances?
- ▶ If no, why not?

ICE Counsel

Working with ICE Counsel to be efficient in court:

- ▶ Will ICE consider a stipulation agreement as to certain issues pending before the court? (Ex: 10 years presence, stipulated hardship on a waiver but leave to IJ's discretion, etc.)
 - ▶ How does counsel go about working with ICE to stipulate to certain facts?
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ICE Counsel

Working with ICE Counsel to be efficient in court:

- ▶ How does a private attorney find out which ICE Attorney will be in court?
 - ▶ Does OCC have a policy about returning emails or calls to Respondents' counsel?
 - ▶ Where can one find a contact list to reach out to OCC?
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ICE Counsel

Working with ICE Counsel to be efficient in court:

- ▶ What are some other pointers ICE can provide in working with ICE in removal proceedings?

Respondent's Counsel

“Adversarial” is not synonymous with “confrontational”

- ▶ A working relationship with opposing counsel creates efficiency in the courtroom

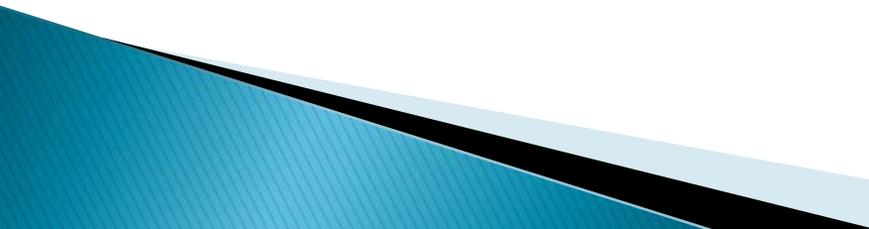
Respondent's Counsel

“Adversarial” is not synonymous with “confrontational”

- ▶ What are some pointers on how to establish a working relationship with ICE Counsel?
 - ▶ What are deal-breakers?
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Respondent's Counsel

“Adversarial” is not synonymous with “confrontational”

- ▶ When the parties do not agree, how does one remain firm on a position without destroying the relationship?
 - ▶ When is it appropriate to get chief counsel involved without burning a bridge with the assistant chief counsel?
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Respondent's Counsel

Presenting a favorable application for relief before the court

- ▶ What are some tips on preparing documents to submit to the court?
 - ▶ In what order do you call witnesses?
 - ▶ Other tips on witness prep and testimony
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