

# BOND PROTOCOL

AILA PRO-BONO

From bond intake to filing motion is 21-25 days.

## Initiating Protocol

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- ☐ a. Initiate Protocol when CFI+ / NTA is served
- ☐ b. Schedule client for bond intake for next day
- ☐ c. CDB Entries
  - ☐ i. Close 235 case (confer with Team Leader)
  - ☐ ii. Open 240 case
  - ☐ iii. Add to List
    - ☐ 1. CALL-UP > Add to List / DATE / Afternoon / Assigned Attorney / Bond Intake
    - ☐ 2. Day of: CALL-UP > Bond Intake
- ☐ d. Print BOND INTAKE PACKET for use at Bond Intake appointment

## Bond Intake

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- ☐ a. This is the most critical stage in the Bond Protocol; if time is short or energy is short, you may divide this intake into 2 consecutive days
- ☐ b. Introduce Yourself
- ☐ c. Introduce AILA Pro Bono Project
- ☐ d. Verify Client wants attorney/doesn't have an attorney
- ☐ e. Obtain G-28
- ☐ f. Obtain media waiver
- ☐ g. Obtain Limited Representation Agreement
  - ☐ i. Explain: client affirmatively authorizes attorney to withdraw at conclusion of bond hearing
  - ☐ ii. Explain: no promise of representation after bond hearing
  - ☐ iii. Explain: client authorizes other attorneys to file pleadings, appear in case, access information
- ☐ h. Verify Eligibility for Bond
  - ☐ i. In 240 proceedings or has Notice of Custody Determination, yes?
  - ☐ ii. No prior IJ custody determination, yes?
  - ☐ iii. No mandatory detention question present, yes?
  - ☐ iv. All must be YES, if not or unsure, confer with Team Leader

- ☐ **i. Explain bond process, bond evidence, provide bond intake packet**
  - ☐ i. Bond Infographic
  - ☐ ii. Client Guide to Bond Documents
  - ☐ iii. Welcome to AILA Pro Bono Project Letter
- ☐ **j. Complete Bond Worksheet**
  - ☐ i. Scan into CDB; write “Bond Worksheet / Bond Documents” into the case note
  - ☐ ii. Critical: obtain family / sponsor address & telephone #
  - ☐ iii. Enter family / sponsor name, address and telephone # in a case note with the words “Bond Sponsor”
- ☐ **k. Gather NTA, CFI+ decision (if not already uploaded)**
  - ☐ i. Scan into CDB: write “NTA CFI+ decision” into the case note
- ☐ **l. Review, update Case Narrative**
  - ☐ i. Locate the Case Narrative by searching for “case narrative” in case events; update word document, resave & upload
- ☐ **m. Provide 10 day deadline for client to gather bond evidence**
  - ☐ i. Client should fax or email documents
  - ☐ ii. Advise client: Bond coordinators will provide limited assistance in obtaining documents
- ☐ **n. Provide private URL to client for her family / sponsor to view instructional video, bond process information**
- ☐ **o. Submit Property Request for Identity Documents (photocopies of birth certificates, marriage certificates, passports, other IDs)**
- ☐ **p. Submit Request to ICE for copy of I-213 & other known documents**
  - ☐ i. Confer with Team Leader about requesting entire A-file
- ☐ **q. CDB Entries –**
  - ☐ i. 12-day check for Bond Readiness
    - ☐ 1. Assignee BOND // CALL-UP > Bond Readiness Review?
  - ☐ ii. Next Day Call-Up for Remote Bond team
    - ☐ 1. Assignee BONDDOCS // CALL-UP > Initiate Remote Bond Team
  - ☐ iii. Bond Worksheet / Bond Documents
    - ☐ 1. All supporting bond documents will be uploaded to this case note
    - ☐ 2. Use the search case events feature to locate it (are we not putting this as a top case note?)
  - ☐ iv. Bond Sponsor
    - ☐ 1. Create case note with “Bond Sponsor” listing the bond sponsor’s name, address, and telephone #; list all names of all potential letter writers

## Remote Document Collection

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- ☐ **a. Run daily report on BONDDOCS**
- ☐ **b. Contact Family / Sponsor,**
  - ☐ i. Introduce yourself
  - ☐ ii. Provide private URL
  - ☐ iii. Describe bond documents
  - ☐ iv. Explain location to fax or email documents
  - ☐ v. Explain 10-day deadline & ask for prompt assistance
- ☐ **c. Critical Bond documents**
  - ☐ i. Sponsor Letter
  - ☐ ii. Sponsor Identity Documents
  - ☐ iii. Sponsor immigration status documents
- ☐ **d. Provide assistance to family / sponsor**
- ☐ **e. Translate documents**
- ☐ **f. Upload all documents & translations to Bond Worksheet / Bond Documents case note**
- ☐ **g. Enter Case Notes in CDB as necessary**

## Bond Readiness Review

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- ☐ **a. Bond Coordinator reviews readiness at 12-day mark**
- ☐ **b. Ready? Refer to Bond Remote Team**
- ☐ **c. If bond readiness is too slow, confer with Team Leader**
- ☐ **d. Set reminder CALL-UP for 8 days after referral**

## Prepare Bond Package

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- ☐ **a. Prepare bond package for submission within 7 days of referral**
- ☐ **b. Create personalized motion using AILA Template Represented Motion Bond Hearing**
- ☐ **c. Create personalized bond memorandum using AILA Template Bond Memorandum**
- ☐ **d. Create personalized bond supporting documents package using AILA Template Index Memorandum In Support of Bond**
- ☐ **e. Assemble Supporting Documents – Standard documents + personal documents**
- ☐ **f. CDB Entries**
  - ☐ i. Assignee FILINGS // CALL-UP > Review and File Bond package, MCH /DATE or TBD / documents attached // Attachment: Bond Motion (word), Bond Memo, (word) Bond Index (word), Bond Documents (PDF)

## Submit Bond Package

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- ☐ **a. Compile documents**
  - ☐ i. Motion for Bond Hearing
  - ☐ ii. Bond Memorandum
  - ☐ iii. Index of Supporting Documents
  - ☐ iv. Supporting Documents – Standard
  - ☐ v. Supporting Documents – Particularized
- ☐ **b. Submit to Denver Immigration Court**
- ☐ **c. Upload final, filed version of Bond Package to CDB in a case note**
  - ☐ i. Case Note Bond Motion Submitted
- ☐ **d. CDB Entries**
  - ☐ i. 10 day reminder for bond hearing?
    - ☐ 1. Assignee TEAMLEADER // CALL-UP > Bond Hearing Scheduled?

## Bond Hearing Prep

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- ☐ **a. Schedule appointment for client the day before bond hearing**
- ☐ **b. Prepare an offer of proof on the bond factors**
- ☐ **c. Prepare client for bond examination**
  - ☐ i. IJ questions, DHS issues (manner of entry, who paid for/arranged for entry, status of relatives in US, intent to work in US, statements to CBP, basis for asylum claim, humanitarian issues, where live)
- ☐ **d. Prepare closing argument in favor of bond**
- ☐ **e. Enter bond prep notes into CDB**
- ☐ **f. Add client to The List for the next day**

## Bond Hearing

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- ☐ **a. Attend bond hearing**
- ☐ **b. Confer with remote attorney, if any**
- ☐ **c. Make bond presentation**
- ☐ **d. Get OTG co-counsel to take notes – IJ demeanor, IJ comments, trial counsel**
- ☐ **e. Record IJ decision**
- ☐ **f. Advise court of motion to withdraw**
  - ☐ i. File motion to withdraw – use AILA Template – Motion to Withdraw as Counsel in DMS – punt to next master ?
- ☐ **g. Enter bond decision in CDB in a case note with “Bond Decision” in the comment text somewhere**

## Post-Hearing Processing

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- ☐ **a. Speak with client same-day or next day**
  - ☐ i. Explain results of hearing
  - ☐ ii. No promise of on-going representation from project after bond
  - ☐ iii. Remind client that lawyer has withdrawn / will withdraw
- ☐ **b. Provide client AILA Getting Out of Detention / Exit Interview packet**
  - ☐ i. How to post bond
  - ☐ ii. Confirm end destination address
    - ☐ 1. Case closing case note
  - ☐ iii. One-Year filing deadline
  - ☐ iv. How to find an attorney
- ☐ **c. DHS will change venue to court having jurisdiction**
- ☐ **d. If bond denied, confer with Team Leader**
- ☐ **e. CDB Entries:**
  - ☐ i. 7 day check in to see if client has bonded out
  - ☐ ii. Assignee THE LIST // CALL-UP > Bond posted?

## Merits Review & Closing

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- ☐ **a. Confer with Team Leader if merits can be placed**
- ☐ **b. Close – follow closing case protocol**