



Instructions: Detained Unaccompanied Children – VTC Court Observation

Thank you for observing unaccompanied children's immigration court proceedings.

Use of video teleconference in unaccompanied children's cases:

The Administration has begun using what is referred to as a VTC (video teleconference) "Rocket Docket" from the Atlanta Immigration Court for detained migrant children in the Houston area. "Rocket Docket" simply means the cases are put on a faster timeline; in the case of unaccompanied children, their cases are set to go faster because the children are detained. As immigration practitioners have grave concerns about due process and other fairness issues for the children in these dockets (see our [blog post](#) on the issue here), and because we anticipate the program could be expanded to include other cities where migrant children are detained, an observer program has been instituted to document the proceedings.

Detained unaccompanied children's dockets:

Detained unaccompanied children's dockets are scheduled based on different Office of Refugee Resettlement (ORR) shelters. Therefore, typically, children from one shelter will have their cases scheduled in a block and then children from a different shelter will have their cases scheduled afterwards. Legal service providers are assigned to work with different shelters. Sometimes the legal service providers represent the children in a full representational capacity and other times the legal service providers appear with the children as Friend of Court. Oftentimes, immigration judges will conduct group hearings for detained unaccompanied children; sometimes, the judge will then call up children individually. Other times, the judge will hear each case individually. It is up to the judge's discretion.

Purpose of court observation:

- Accountability in immigration courts
- Ensure due process for children in proceedings – the fact that children have a right to a full and fair hearing
- Make an account of what you observed including any issues with use of VTC
- Learn about the pace of the "Rocket Docket"

Issues we are particularly interested in hearing about:

- Any language access issues (e.g., use of interpreter, issues with interpretation, etc.)
- Any technological issues
- Any delays
- Any confusion regarding VTC process
- Next court dates and the purposes for next court dates so we can see how the "Rocket Docket" is moving (e.g., it is helpful to report something like this – "the next court date is 4/14 and the judge plans to go over the Notice to Appear and to take pleadings." Or "the next court date is 4/16 and the judge expects applications to be filed.")
- Whether proceedings are "child-friendly" (e.g., judge's explanations, pace, demeanor, take in consideration a child is upset/overwhelmed, etc.)

Additional instructions for your court observation:

- Many legal service providers intend on submitting a motion to the court seeking an in-person hearing or plan to file written objections to the use of VTC in children's cases. Your statement regarding what you observed in court may be helpful to attach to these written motions and objections.
- In order to make this process as easy as possible, CILA has created two fillable PDF templates for a general statement regarding your court observation and a specific statement regarding a particular case you observed. There is an instructions sheet that provides guidance regarding what you should include in your statement(s).
- We ask that you write a general statement for each day you observe court. It is also possible for the legal service provider to ask you to write a statement regarding a specific child's case.
- CILA has also created a VTC Court Observation notes sheet. This sheet is designed to help you as you take notes while you observe court. Please print the document, and fill out a sheet per shelter. The sheet has a section to fill out for group hearings and then repeats the section to fill out for individual cases so you have space for notes for different cases. We suggest you read the sheet prior to observing court so you get an idea of the issues to look for and what to take notes regarding. It can be hard to read the document for the first time while in court because proceedings move quickly. Since court proceedings differ per day and move quickly, we do not expect the form to be completed in its entirety. A partially completed form is still very helpful. Also, if you do not wish to use our notes sheet, then please take your own notes and submit your notes with your statement.
- Your statement(s) and VTC Court Observation notes sheet(s) should be uploaded to CILA's website after your observation is complete.
- CILA will distribute the documents to the pertinent legal service providers.
- The legal service providers may be in touch with you if they need any other information.

Key terms you may hear in immigration court:

- Respondent: The child in proceedings
- Friend of Court (FOC): An aid to the court and not an advocate. If you want to learn more read [EOIR PM 20-05](#).
- Notice to Appear (NTA): an official charging document, asserting any violations of immigration law against the unaccompanied child
- Master Calendar Hearing (MCH): These hearings cover more procedural matters such as taking pleadings and scheduling. MCHs are important because this is often a respondent's first appearance before an immigration judge, and the path of the case is set.
- Individual Calendar Hearing (ICH): Generally, an ICH is a child's merits hearing. This is a hearing set specifically for the child to appear at that specific date and time; it is not run on a docket. This is the time designated for the judge to hear the child's testimony, consider evidence (submitted in advance), and for the judge to make a ruling in the child's case.

