

# Fundamentals of Immigration

Introduction to Removal, Grounds of Inadmissibility & Deportability

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## Government Agencies

- ▶ Department of Homeland Security (DHS)
  - ▶ Citizenship & Immigration Services (CIS)
  - ▶ Immigration & Customs Enforcement (ICE)
  - ▶ Customs & Border Protection (CBP)
- ▶ Department of Justice
  - ▶ Executive Office for Immigration Review (EOIR)
    - ▶ Immigration Judges
    - ▶ Board of Immigration Appeals
- ▶ Departments of State and Labor

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## Statute, Regulations, Case Law

- ▶ Immigration & Nationality Act (INA)
  - ▶ INA §101, 8 U.S.C. §1101, et seq
- ▶ Code of Federal Regulations
  - ▶ 8 C.F.R. §1.1, et seq (DHS)
  - ▶ 8 C.F.R. §1001.1, et seq (EOIR)
- ▶ Interim Decisions of the Board of Immigration Appeals
- ▶ Federal courts

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## Removal Proceedings

- ▶ Former deportation/exclusion proceedings
- ▶ Determines charges based on grounds of inadmissibility & deportability
- ▶ Notice to Appear
  - ▶ Issued by DHS
  - ▶ Filed with Immigration Judge
- ▶ Hearings before Immigration Judge (IJ)
  - ▶ Bond re-determination
  - ▶ Master calendar
  - ▶ Hearing on the merits

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## Other Forms of Removal

- ▶ Waivers of hearing and voluntary return
- ▶ Expedited removal
- ▶ Stipulated removal
- ▶ Re-instatement of removal order

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## Detention

- ▶ Immigration hold
  - ▶ Pending state/federal criminal proceedings
- ▶ Immigration bail bonds
  - ▶ Minimum is \$1500
  - ▶ Specialized bail bond companies
- ▶ Mandatory detention
  - ▶ Arriving non-citizens
  - ▶ Expedited removal
  - ▶ Criminal offenders

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[2021 A Practical Guide to Immigration Removal Proceedings eConference](#)

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2021 A Practical Guide to Immigration Removal Proceedings session  
"Grounds of Deportability and Inadmissibility"