



I'm Afraid to Go to Immigration Court – Do I Need to Attend?



I'm an unaccompanied child with an upcoming scheduled court hearing. Should I attend immigration court even if I don't have an attorney?

Yes, you should still attend court even if you do not have an attorney.

Failing to attend court will likely result in the judge issuing a removal order "in absentia," meaning you could be ordered to leave the country for failing to appear in court.

During the first hearing, you can explain to the judge that you are still seeking an attorney and request a continuance for your case, where the judge sets a future court hearing allowing you more time to seek legal representation.



I'm a sponsor or caregiver of an unaccompanied child. I'm afraid to attend the child's court hearing because I don't have legal status in the U.S. Do I need to accompany the child to their court hearing?

The child is the one who is the subject of their immigration proceedings and required to attend their court hearing, not the sponsor/caregiver. However, as the sponsor/caregiver it is your responsibility to ensure the child attends their hearing.

If you are a sponsor/caregiver who is fearful of attending court with the child, here are some options:

- Secure legal representation for the child so that the attorney can accompany the child to court or attend on their behalf
- Designate another responsible adult to attend court with the child – this could be a trusted service provider or a relative or friend with legal status
- Arrange the child's transportation to court; if the child is old enough and feels comfortable entering the courthouse on their own, you can wait outside in your vehicle and be available by phone

Sometimes the immigration judge will question why the sponsor is not present at the child's hearing, especially for a very young child. If the judge specifically requests the sponsor's presence at the next hearing, consult with an immigration attorney as soon as possible for guidance on the next steps.

What happens at immigration court? What should I expect when I go to court?

Here are some helpful resources to help you understand court etiquette and what to expect at immigration court:

- [Video: ¿Qué Esperar en su Primer Día de Corte?](#)
- [Video: Conducta Apropriadada para la Corte de Inmigración](#)
- [Handout: Conducta Apropriadada para la Corte de Inmigración](#)



Navigating the legal process and applying for any type of legal relief is a complicated process – it is very important to consult with an attorney and obtain legal representation for the child's immigration case!

This handout is for information only and not intended to serve as legal advice.