

PRINTABLE CHECKLIST · IMMIGRATION COURT

Deportation defense document checklist

A printable list of the documents people in removal proceedings commonly need for immigration court, each tied to the regulation, form instruction or EOIR Practice Manual rule that asks for it: case papers, address and representation forms, identity and entry documents, evidence for relief, criminal records, translations and how to assemble the packet.

Reviewed by Carlos Maury (<https://carlosmaury.law/about>), former U.S. Immigration Judge. Last reviewed: October 6, 2026.

This is a printable checklist. To print it, use your browser's Print command (Ctrl+P, or Command+P on a Mac), or download the PDF linked above. Check off each document as you gather it. Each item names the regulation, form instruction or chapter of the EOIR Immigration Court Practice Manual (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>) that asks for it. Not every item applies to every case: which ones you need depends on the charges and on the relief you ask the judge for.

Your case papers

- ☐ **Notice to Appear (Form I-862)** — the document that starts removal proceedings once DHS files it with the court; it lists the charges against you (Practice Manual 3.2(a) (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-3-2>)).
- ☐ **Every hearing notice and any scheduling order** from the immigration court — they show your next hearing and the deadlines the judge set. Under 8 CFR 1003.31(h) (<https://www.ecfr.gov/current/title-8/section-1003.31>), an application or document not filed within the time the judge set is treated as waived.
- ☐ **Your A-number (Alien Registration Number)** — it must appear on the cover page of every filing, with every A-number if you have more than one (Practice Manual 2.3(c)(6) (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>)).

- ☐ **Copies of every document DHS issued to you** — the EOIR-42A and EOIR-42B instructions, item 3, "Supporting documents".
- ☐ **Any earlier order or decision of an immigration judge or of the Board of Immigration Appeals** in your case — a copy of the judge's decision is part of a motion to reopen or reconsider package (Practice Manual 2.3(c)(1)(D) and (E)).

Address and representation forms

- ☐ **Form EOIR-33/IC, change of address** — you must give the court written notice of a new address within five days of the change, on Form EOIR-33 (8 CFR 1003.15(d)(2) (<https://www.ecfr.gov/current/title-8/section-1003.15>)). Hearing notices go to the address on file. The USCIS I-485 and I-589 instructions repeat this rule and add a separate notice to USCIS.
- ☐ **Form EOIR-28, entry of appearance** — if a lawyer or accredited representative represents you, they file it with the court and serve it on DHS (8 CFR 1003.17(a) (<https://www.ecfr.gov/current/title-8/section-1003.17>)); it goes at the front of each filing package (Practice Manual 2.3(c)(1)).
- ☐ **Form EOIR-61** — if a lawyer only helped you prepare a specific document but does not represent you, the form is filed with that document (8 CFR 1003.17(b)).

Identity and entry documents

Talk with a lawyer before you file identity or entry papers. When DHS charges that a person entered without being admitted or paroled, DHS must first establish alienage (8 CFR 1240.8(c) (<https://www.ecfr.gov/current/title-8/section-1240.8>)); what you file can bear on that.

- ☐ **A copy of every passport or travel document, cover to cover** — Form I-589 instructions, "Required Documents"; do not file the original passport unless it is requested.
- ☐ **Birth certificate, national identity card or other identity documents** — the I-589 instructions recommend filing one copy and bringing the originals.
- ☐ **Form I-94, visa page and admission or parole stamp** — evidence of your most recent admission or parole (Form I-485 instructions, "Evidence of Inspection and Admission or Inspection and Parole"). A person who claims to be lawfully present after an admission must prove it by clear and convincing evidence (8 U.S.C. 1229a(c)(2)(B) (<https://www.govinfo.gov/link/uscode/8/1229a?link-type=html>)).

Evidence for the relief you ask for

An application for relief is filed with the immigration court during the case, and you carry the burden of proving you are eligible (8 CFR 1240.11 (<https://www.ecfr.gov/current/title-8/section-1240.11>)). The lists below follow the official instructions for each form.

Cancellation of removal (Form EOIR-42A or EOIR-42B)

The instructions for both forms are on the [EOIR forms page](https://www.justice.gov/eoir/eoir-forms) (<https://www.justice.gov/eoir/eoir-forms>). EOIR-42A is for certain permanent residents; EOIR-42B is for certain nonpermanent residents.

- ☐ **The signed original application with all supporting documents and additional sheets** — EOIR-42A and EOIR-42B instructions, "Serving & filing your application".
- ☐ **Proof of payment through the EOIR Payment Portal, and through the USCIS Payment Portal if that applies**, or a fee-waiver request where the rules allow one — USCIS says it will not accept EOIR applications postmarked on or after July 31, 2026 without proof of payment through those portals ([USCIS, Immigration Benefits in EOIR Proceedings](https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings) (<https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings>)).
- ☐ **Your copy of the USCIS pre-order instructions, followed step by step** — the DHS attorney should give you these "Instructions for Submitting Certain Applications in Immigration Court and for Providing Biometric and Biographic Information"; USCIS says to follow them carefully ([USCIS, Immigration Benefits in EOIR Proceedings](https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings) (<https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings>)). Older EOIR-42A/42B instructions also name Form G-325A, but USCIS now titles that form "Biographic Information (for Deferred Action)", so ask your attorney before filing it in court.
- ☐ **All criminal history and conviction records** — EOIR-42A and EOIR-42B instructions, item 3.
- ☐ **Proof of continuous physical presence for the required period** (EOIR-42B) — the instructions give examples: bankbooks, leases, deeds, licenses, receipts, letters, birth records, church records, school records, employment records and evidence of tax payments.
- ☐ **Police records from each place you lived during that period** (EOIR-42B) — to show good moral character.
- ☐ **Sworn statements of witnesses on your good moral character**, including your employer, describing the job, how long you have held it and your earnings (EOIR-42B, recommended).

- ☐ **Proof of your relationship to each relative you say would suffer hardship**, and of their U.S. citizenship or permanent residence — birth records, marriage certificates, proof of divorce, death certificates (EOIR-42B).
- ☐ **Records of tax payments and child support payments** during your time in the United States (EOIR-42B).
- ☐ **Two color passport-style photographs** taken within 30 days, with your name and A-number lightly printed on the back (EOIR-42B instructions, item 6, unless you are detained where you cannot comply).

Asylum, withholding of removal and Convention Against Torture (Form I-589)

If you are in removal proceedings, the Form I-589 instructions (<https://www.uscis.gov/i-589>) say to file the application with the immigration court that has your case.

- ☐ **The completed original Form I-589**, signed in Part D, with the originals of any supplementary sheets and statements. Do not sign Part G before the hearing; you sign it before the judge (I-589 instructions).
- ☐ **One copy of the evidence of relationship for each family member included** — birth or school records of children, marriage certificate, proof that a prior marriage ended (I-589 instructions).
- ☐ **One copy of all passports and travel documents, cover to cover, and of any U.S. immigration documents such as Form I-94**, for you and each family member included (I-589 instructions).
- ☐ **Reasonably available evidence of the conditions in your country and of the specific facts of your claim** — for example, news articles, sworn statements of witnesses, medical or psychological records, photographs, official documents. If that evidence is not reasonably available, explain why on Form I-589 Supplement B or extra sheets (I-589 instructions, "Additional Evidence That You Must Submit").
- ☐ **Your name, A-number, signature and date on every added page** (I-589 instructions, "Organizing Your Application").

Adjustment of status before the judge (Form I-485)

Under the Form I-485 instructions (<https://www.uscis.gov/i-485>), a person in proceedings generally files the I-485 with the immigration court, and the DHS attorney gives pre-order instructions for background checks and for sending a copy of the application to USCIS.

- ☐ **Form I-485 and the evidence its instructions list** — including evidence of your immigrant category, such as a copy of the Form I-797 notice for the underlying petition (I-485 instructions, "Documentation of Your Immigrant Category").
- ☐ **Form I-864, Affidavit of Support**, where required — most family-based applicants (I-485 instructions); the judge may decide whether it is sufficient (8 CFR 1240.11(a)(2)).
- ☐ **Form I-693, medical examination**, signed by a civil surgeon, where the I-485 instructions require it.
- ☐ **A waiver application**, if you are inadmissible and believe you qualify for a waiver — it can be filed with the judge together with the adjustment application (8 CFR 1240.11(a)(2)).

Biometrics for any of these applications

- ☐ **The DHS pre-order biometrics instructions and your appointment notice** — failing to provide biometrics in the time the judge allows can make the judge treat the application as abandoned (8 CFR 1003.47(c)–(d) (<https://www.ecfr.gov/current/title-8/section-1003.47>); USCIS, Immigration Benefits in EOIR Proceedings (<https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings>)).
- ☐ **Proof that your biometrics were taken** — keep it and bring it to your hearings (EOIR-42B instructions, item 8).

Criminal records

If you were ever arrested, charged or convicted, anywhere, the exact court records matter.

- ☐ **Court records for each case** — such as the record of judgment and conviction; the record of plea, verdict and sentence; a docket entry; or an abstract of the conviction prepared by the court or the state records office. These are the records 8 CFR 1003.41 (<https://www.ecfr.gov/current/title-8/section-1003.41>) lists as evidence of a conviction.

- ☐ **Arrest records, including arrests that did not lead to a conviction** — the Practice Manual asks parties to attach all pertinent documentation, such as arrest and conviction records (Practice Manual 2.3(f) (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>)).
- ☐ **A criminal history chart** — for each arrest: the date, court docket number, charges, disposition and immigration consequences, with page references to the attached records (Practice Manual 2.3(f)).

How the court wants the packet put together

These rules come from Practice Manual chapter 2.3 (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>), chapter 2.2 (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-2>) and 8 CFR 1003.32 (<https://www.ecfr.gov/current/title-8/section-1003.32>).

- ☐ **Cover page with a caption** — the preparer's name and address, the title of the filing, your full name as it appears on the Notice to Appear, your A-number, the type of proceeding and the date and time of the hearing (2.3(c)(6)).
- ☐ **Documents in the right order** — for an application: Form EOIR-28 (if required), cover page, fee receipt or fee-waiver request (if applicable), the application, proposed exhibits with a table of contents, and the proof of service (2.3(c)(1)(A)).
- ☐ **Consecutive page numbers** at the bottom center or bottom right of every page (2.3(c)(3)).
- ☐ **Table of contents with page numbers** whenever you file exhibits or supporting documents (2.3(c)(3)).
- ☐ **Proof of service (certificate of service)** on DHS — who was served, the full address, the date, the method and the documents served, signed by the person who served it. If you file through EOIR's electronic system and both parties use it, the certificate still goes in and says so (2.2(a) and (e); 8 CFR 1003.32). The judge will not consider documents without it unless service is made on the record at a hearing (8 CFR 1003.32(c)).
- ☐ **Signatures** — every form, motion or brief signed by the person who prepared it, with the typed or printed name (2.3(b)).
- ☐ **Letter-size pages** — 8½ by 11 inches, legible, single-sided (8 CFR 1003.32(d); 2.3(c)(5)).
- ☐ **Photocopies, not originals, of supporting documents** — and bring the originals to every individual hearing; DHS may examine them (2.3(d)(3); 8 CFR 1003.31(c)). The EOIR-42A and EOIR-42B instructions also say the originals must be available at the hearing.

- ☐ **Photographs** labeled on the back with your name and A-number (2.3(d)(4)).
- ☐ **Articles and reports** marked with the title, date and page numbers, the full web address for online material, and the pertinent parts highlighted (2.3(e)).

Translations

- ☐ **A full English translation of every document in another language**, with a certification signed by the translator that they are competent to translate and that the translation is true and accurate to the best of their abilities (8 CFR 1003.33 (<https://www.ecfr.gov/current/title-8/section-1003.33>)).
- ☐ **The translator's certificate typed, signed and attached to the document**, with the translator's address and telephone number; if one certificate covers several documents, it must list them (Practice Manual 2.3(a) (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>)).
- ☐ **A certificate of interpretation for any English statement signed by someone who is not fluent in English** — stating that it was read to them in a language they understand (Practice Manual 2.3(a)).
- ☐ **For documents you send to USCIS**, such as a copy of an application the DHS instructions tell you to send there: a full English translation certified as complete and accurate, with the translator's certification of competence (8 CFR 103.2(b)(3) (<https://www.ecfr.gov/current/title-8/section-103.2>)).

If the judge rules against you

- ☐ **Form EOIR-26, Notice of Appeal** — filed with the Board of Immigration Appeals within 30 calendar days of the judge's oral decision or of the mailing or electronic notice of a written decision (8 CFR 1003.38(b) (<https://www.ecfr.gov/current/title-8/section-1003.38>)).
- ☐ **The judge's decision** — keep a copy; see our [immigration appeals](https://carlosmaury.law/immigration-appeals-lawyer) (<https://carlosmaury.law/immigration-appeals-lawyer>) page.

Before you file

Forms and instructions change. Before you file, check that you have the current edition of each form and its instructions on the official page: the [EOIR forms page](https://www.justice.gov/eoir/eoir-forms) (<https://www.justice.gov/eoir/eoir-forms>) for EOIR forms, and uscis.gov for USCIS forms. The judge can set different deadlines or require other

documents in your case. Have a lawyer review the whole packet before it is filed; see our [deportation defense](https://carlosmaury.law/deportation-defense-lawyer) (<https://carlosmaury.law/deportation-defense-lawyer>) page.

Frequently asked questions

What should I bring to my first immigration court hearing?

Bring your Notice to Appear, every hearing notice you have received, and the originals of any documents you have filed or plan to file. The Practice Manual says that when supporting documents are filed at a master calendar hearing, the originals must be made available to DHS, and that the originals must be brought to every individual hearing.

Do I file original documents or copies with the immigration court?

Copies. The EOIR Practice Manual, chapter 2.3(d)(3), says photocopies of supporting documents, not originals, should be filed with the court and served on DHS, and the originals must be available for review. Forms, motions and briefs themselves must carry an original signature.

Do my documents in Spanish need to be translated?

Yes. Under 8 CFR 1003.33, any foreign-language document offered in immigration court must come with an English translation and a certification signed by the translator that they are competent to translate and that the translation is true and accurate. The Practice Manual adds that the certificate must be typed, attached to the document and include the translator's address and telephone number.

What is a proof of service?

It is a signed statement that you gave DHS a copy of what you filed: who was served, at what address, on what date, by what method and which documents. 8 CFR 1003.32(c) says the judge will not consider documents without it unless service is made on the record at a hearing. If both parties use EOIR's electronic filing system, the certificate still goes in and says so.

How do I tell the immigration court my new address?

File Form EOIR-33/IC with the court within five days of moving, as 8 CFR 1003.15(d)(2) requires. Hearing notices go to the address on file. If you also have an application with USCIS, the USCIS form instructions say to notify USCIS separately.

What criminal records does the court want?

The court records of each case, such as the judgment and conviction, the plea, verdict and sentence, a docket entry or a court-prepared abstract (8 CFR 1003.41). The Practice Manual also asks for a criminal history chart listing each arrest with its date, docket number, charges, disposition and immigration consequences, with the records attached and paginated.

Official sources

Immigration Court Practice Manual, ch. 2.3, Documents — EOIR (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-3>)

Immigration Court Practice Manual, ch. 2.2, Service on the Opposing Party — EOIR (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-2-2>)

Immigration Court Practice Manual, ch. 3.2, Commencement of Removal Proceedings — EOIR (<https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-3-2>)

EOIR forms, including the EOIR-42A and EOIR-42B instructions — EOIR (<https://www.justice.gov/eoir/eoir-forms>)

8 CFR 1003.32, Service and size of documents — eCFR (<https://www.ecfr.gov/current/title-8/section-1003.32>)

8 CFR 1003.33, Translation of documents — eCFR (<https://www.ecfr.gov/current/title-8/section-1003.33>)

8 CFR 1003.15, Notice to Appear and change of address — eCFR (<https://www.ecfr.gov/current/title-8/section-1003.15>)

8 CFR 1003.41, Evidence of criminal conviction — eCFR (<https://www.ecfr.gov/current/title-8/section-1003.41>)

8 CFR 1003.47, Biometrics and background checks for relief — eCFR (<https://www.ecfr.gov/current/title-8/section-1003.47>)

Form I-589, Application for Asylum and for Withholding of Removal — USCIS (<https://www.uscis.gov/i-589>)

Form I-485, Application to Register Permanent Residence or Adjust Status — USCIS (<https://www.uscis.gov/i-485>)

Immigration Benefits in EOIR Proceedings — USCIS (<https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings>)

8 U.S.C. 1229a (INA 240), Removal proceedings — govinfo.gov (<https://www.govinfo.gov/link/uscode/8/1229a?link-type=html>)

Responsible attorney: Carlos Maury (<https://carlosmaury.law/about>), former U.S. Immigration Judge. Carlos Maury is licensed in Florida (The Florida Bar No. 964239). Practice limited to federal immigration law; we represent clients in all 50 states. Carlos Maury is no longer on the bench and cannot influence any sitting judge or pending case. This page is general information, not legal advice for your case.