

## **OBJECTIVES AND METHODS**

### **IMMIGRATION COURT**

**I. OBJECTIVE:** Improve and refine legal analysis, research and writing skills.

**METHODS:**

1. Review critically the pleadings, motions and other papers in assigned cases, selected to ensure a broad range of complexity and subject matter.
2. Frame and analyze the issues, develop a research strategy, research the issues, and prepare a summary of or memorandum regarding assigned cases.
3. Receive written feedback from judges and clerks on summaries and memorandum.
4. Discuss and defend analysis of assigned cases with judges and clerks.
4. Prepare preliminary drafts of orders in assigned cases.
5. Perform assigned supplementary research and draft memoranda for the judges on selected issues covering a wide variety of subjects.

**II. OBJECTIVE:** Develop better understanding of and practical insight into administrative practice and procedure, including building a record for appeal.

**METHODS:**

1. Consider the jurisdiction of the Immigration Court in all assigned cases and proceedings.
2. Determine the procedural context of all assigned cases and proceedings.
3. Acquire understanding of the organization of the Executive Office for Immigration Review and the Immigration Court .
4. Acquire understanding of the roles of the judge and judicial clerk at the Immigration Court.
4. Acquire understanding of case administration, including the filing of the application or motion, the establishment of the case docket, the assignment of cases, the scheduling of hearings, the use of prehearing orders, the use of written and oral decisions, and the transmittal of the record to the Board of Immigration Appeals.
5. Evaluate critically the efficiency of the Immigration Court decision-making process.

**III. OBJECTIVE:** Develop deeper understanding of the adversary system and the roles of judges and advocates.

**METHODS:**

1. Acquire understanding of the qualifications, selection, retention, ethics, disqualification, and discipline of immigration judges.
2. Observe critically the competence of counsel, including their preparation for hearing.
3. Observe critically the ethical behavior of counsel.
4. Observe critically the strategy and trial advocacy skills of counsel and the impact of counsels' strategy and skill on the outcome of cases and the quality of the record preserved for appeal.
5. Attend and observe critically each of the following proceedings, as feasible:
  - a. Legal argument on motion
  - b. Opening argument
  - c. Examination and cross-examination of witness
  - d. Qualification of an expert witness and introduction of expert testimony
  - e. Closing argument

**IV. OBJECTIVE:** Develop keener insight into the decision-making process in immigration court.

**METHODS:**

1. Research, draft and revise summaries, orders and legal memoranda in assigned cases.
2. Discuss assigned cases, issues and conclusions with the judge.
3. Prepare preliminary drafts of orders in assigned cases, and review and discuss with the judge.
4. Observe critically and discuss with judges their personal judicial philosophies and approach to decision-making.
5. Observe critically, and discuss the role of the immigration law judge in the decision-making process.
6. Consider critically and discuss in daily journals and seminars the applied jurisprudence which has been observed.
7. Evaluate critically the technical competence, fairness and equality of the judicial decision-making process in light of the needs and aspirations of our society.

- V. OBJECTIVE:** Gain substantive knowledge of immigration law, including the Immigration and Naturalization Act, Title 8 of the Code of Federal Regulations, and decisions of the Board of Immigration Appeals and courts interpreting these provisions.
1. Conduct research on assigned issues and analyze results.

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