

Deportation is the process of being officially removed from a country and begins with being served a notice. Deportation documents can be issued when the person has entered the country illegally, his temporary visa has expired, or she has forfeited a conditional permanent residence visa. Other reasons for deportation include the person aiding other aliens entering the country, committing marriage fraud to stay in the country, if their documents were falsified or failed to be turned in, the person performing an action seen as creating a risk to national security or participating in unlawful voting.

Document Issued

When deportation documents are issued, by law, the person must be given proper notice and an opportunity to plead his case. The deportation document represents an official acknowledgment by the government that the individual is an alien or non-citizen and begins the removal process. The first document is a Notice to Appear (NTA) sent by Immigrations and Customs Enforcement and filed with the immigration court. The reason for deportation should appear on the document.

Initial Hearing

After receiving the NTA, the person appears before an immigration judge, where they must declare they are or are not subject to deportation by verifying the NTA's statements. The judge will offer the accused an opportunity to hire an attorney. If the person applies for relief another hearing is scheduled. Otherwise, a deportation is set in motion.

Relief or Asylum Hearing

Hearings for relief can include the person having witnesses testify on their behalf and testifying themselves. The judge might make a decision in the hearing or decide to give the verdict in written form later on. If asylum is granted the person can not be deported and may apply for a green card a year after the hearing. Cases for asylum are more hopeful if the person has been in the country for less than a year, claims extreme difficulty for their family or that they have been "persecuted in the past or have a well-founded fear of persecution in your home country because of race, religion, nationality, political opinion or membership in a particular social group," according to university language. If the person is being deported because of a crime, he might be able to seek a waiver in a few circumstances. However, she must show that the positive factors of staying in the country outweigh the crime.

Board of Immigration Appeals

The person can then appeal to the Board of Immigration Appeals (BIA) in the 30 days after the hearing is announced. After the BIA has made a decision, the only further recourse is appealing to the Supreme Court, which can be done by the individual themselves or the immigration service on their behalf.

Future as a Potential Citizen

It is much more difficult to acquire a green card in the future, once the U.S. has deported you at their expense, rather than if the person leaves voluntarily at their own expense. Once someone is deported at the cost of the government, they are not allowed to return for five years, or 20 years, if a result of a felony conviction.

Key Concepts

- issued deportation crime
- deportation immigration law
- deportation united states

References

- [Immigration Findlaw: Deportation](http://immigration.findlaw.com/immigration/immigration-deportation/immigration-deportation-overview.html) [http://immigration.findlaw.com/immigration/immigration-deportation/immigration-deportation-overview.html]

Resources (Further Reading)

- [Asifism: Guide to US Deportation](http://www.asifism.com/guide-to-us-deportation/) [http://www.asifism.com/guide-to-us-deportation/]