

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

**<https://www.vera.org/publications/immigrant-court-appearance-fact-sheet>**

## Policy Issue Resources

### Publication

The United States confines hundreds of thousands of immigrants in prison-like detention facilities at a cost to taxpayers of billions of dollars each year. Expanding use of civil detention is often justified by the government as being necessary to ensure that immigrants continue to attend court proceedings. This fact sheet reviews evidence from the Vera Institute of Justice's programs and related studies as well as government data analyzed by independent researchers to unpack what is known about appearances in immigration court and, alternately, orders of removal *in absentia*, which are issued when a person does not appear in court. It offers a collection of data showing that the majority of immigrants—including adults, families, and children—have shown up for immigration court hearings over the past two decades.

Irrefutable evidence shows that over the past two decades the majority of immigrants have shown up for immigration court hearings. Rates of appearance increase when people have legal representation, calling into question the logic of detaining people in prison-like conditions when representation is a viable alternative to ensure court appearances.

Non-detained immigrants with legal representation nearly always come to court.

Many immigrants receive orders of removal *in absentia* because flaws in the overburdened immigration hearing system prevent them from receiving adequate notice of their hearings.

Asylum seekers nearly always show up for court hearings, regardless of whether they have legal representation.

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