



FACT SHEET

Office of Policy
www.justice.gov/eoir

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Observing Immigration Court Hearings

The [Executive Office for Immigration Review](http://www.justice.gov/eoir) (EOIR) administers the nation's immigration court system. Immigration court hearings are civil administrative proceedings that involve alien respondents whom the Department of Homeland Security (DHS) has charged with violating U.S. immigration law. In these hearings, Immigration Judges determine whether respondents are removable from the United States and, if so, whether they should be ordered removed or granted a form of relief from removal or protection that would allow them to remain in the country. Such relief or protection may include adjustment of status, asylum, withholding of removal, cancellation of removal, or protection under the United Nations Convention Against Torture, among other forms of relief or protection.

Immigration courts are open Monday through Friday, except federal holidays. Immigration court hearings are generally open to the public with limited exceptions, as specified by law.

Immigration court hearings are closed when:

- The Immigration Judge grants a party's oral or written motion to close a hearing;
- The Immigration Judge makes a determination to limit attendance at or to close a hearing; or
- The immigration court hearing is required by law to be a closed hearing. See 8 C.F.R. §§ 1003.27, 1003.31(d), 1003.46, 1208.6, 1240.10(b), 1240.11(c)(3)(i).

When planning to observe a hearing, please note:

- Members of the general public do not need to notify the immigration court in advance of visiting. The immigration court publicly posts the docket information each morning. It is prohibited to take photos of the publicly posted docket.

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- Access to observe immigration court hearings necessarily entails access to EOIR space, which includes courtrooms, interior entrances, exits, corridors, conference rooms, and the waiting areas that are in direct view or control of security, the immigration court, or are otherwise part of EOIR's daily operations. See Policy Memorandum 19-10 ("PM 19-10"), *EOIR Security Directive: Policy for Public Use of Electronic Devices in EOIR Space* (Mar. 20, 2019). EOIR spaces are marked by clear signage and are governed by agency policy, EOIR's Policy Manual, and applicable federal laws and EOIR regulations. See 8 C.F.R. §§ 1003.27, 1003.28, 1003.31(d), 1003.46, 1208.6 (2020), 1240.10(b), and 1240.11(c)(3)(i).
- Immigration courts are located in a variety of spaces, including federally owned and managed office buildings, DHS detention facilities, and federal, state, and local correctional facilities. Access to these locations is further subject to relevant rules and regulations particular to these locations, to include regulations promulgated by the U.S. General Services Administration and DHS. See, e.g., 40 U.S.C § 1315(c). Visitors to such locations are encouraged to check the facility managers in advance as to any facility-specific visitation requirements.
- Visitors are not required to check in with court personnel before entering a courtroom to observe, although the presiding Immigration Judge may ask all visitors to identify themselves at the start of the hearing.
- Visitors should observe in person at the courtroom in which the hearing is scheduled and held. The Webex links posted on EOIR's website are for parties appearing remotely.
- Visitors must respect the dignity of proceedings. Visitors must wear proper attire, and no food or drink may be brought into the courtrooms, except as specifically permitted by an Immigration Judge.
- Immigration court administrative office space, to include an Immigration Judge's chambers, is private and access is restricted to immigration court personnel or individuals that have received proper authorization to enter.
- When courtroom space is limited, news media representatives have priority over the general public. 8 C.F.R. § 1003.27(a).
- While possession of personal electronic devices (including, but not limited to, cellphones, smartphones, and smartwatches) are generally permitted in EOIR space, use of recording functions on such devices is strictly prohibited, devices may only be used in a non-disruptive manner, and devices must be turned off during immigration court hearings.

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- All immigration court visitors shall adhere to all applicable federal laws and EOIR policies when visiting EOIR spaces, including [EOIR Policy Manual](#), Part II, Chapters [3.8](#) and [3.11](#).

Additional guidance for news media visits:

- Members of the media are encouraged to contact the Office of Policy at PAO.EOIR@usdoj.gov to coordinate visits.
- All substantive media inquiries and requests for comment shall be directed to EOIR's Office of Policy at PAO.EOIR@usdoj.gov.
- When observing an immigration court hearing, members of the media are encouraged to identify themselves to the immigration court front desk staff upon arrival. This facilitates prioritization of the press in accessing immigration court hearings with limited physical space.

Helpful Resources:

- [Immigration Court Information](#)
- [Immigration Court Online Resource](#) (ICOR)

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