



Chart: Side-by-Side Comparison of DM 24-01 and OPPM 17-03

This chart accompanies a blog post from the American Bar Association's Children's Immigration Law Academy (CILA) that summarizes key updates to the guidelines in children's cases in immigration court under [Director's Memorandum \(DM\) 24-01, Children's Cases in Immigration Court](#) and highlights important differences from the old guidelines under [Operating Policies and Procedures Memorandum \(OPPM\) 17-03, Guidelines for the Immigration Court Cases Involving Juveniles, Including Unaccompanied Alien Children](#) (which were superseded and rescinded by DM 24-01). To help further understand these updates, CILA created the following chart with a side-by-side comparison of the language in DM 24-01 and the language in superseded OPPM 17-03.

Topic	DM 24-01 (New)	OPPM 17-03 (Old)
Scope & Applicability		
Who is a child?	"This DM uses 'child' and 'juvenile' to refer to an individual who is under twenty-one years old."	"This OPPM provides guidance for adjudicating cases involving any unmarried individual under the age of 18, including as both respondents and third-party witnesses."
Types of Cases	<p>"The following guidelines apply to children's cases before the immigration courts. Where a particular point is specific to cases on the juvenile docket, this DM so indicates. Otherwise, the guidelines apply to all cases, whether or not on the juvenile docket, where a child is the lead or sole respondent."</p> <p>"All cases where a child is the lead or sole respondent, including but not limited to cases on the juvenile docket, should be conducted using child-friendly courtroom procedures. Elements of these procedures are also appropriate where a child testifies as a witness. Below is a summary of the most common child-friendly courtroom procedures. Appropriate procedures will vary depending on the age of the child and other factors, and immigration judges should tailor these procedures to the specifics of the case."</p>	<p>"This OPPM applies to all immigration proceedings involving unmarried children under the age of 18."</p> <p><u>Individual circumstances.</u> Every Immigration Judge should employ age-appropriate procedures whenever a juvenile respondent or witness is present in the courtroom. However, not all cases involving juveniles are alike, and Immigration Judges should apply appropriate procedures in juvenile cases as the specific circumstances of the case warrant and always in accordance with applicable law."</p> <p>"With these basic principles in mind, Immigration Judges should also be cognizant of special circumstances occasionally raised by juveniles participating in immigration proceedings. Although claims in immigration court are raised in an adversarial setting, cases involving juveniles may make special demands on all parties. Therefore, consideration</p>

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		should be given, in appropriate circumstances, to some modifications to the ordinary courtroom operations. Nevertheless, [IJs] should be mindful that an alien's status as a juvenile does not, by itself, excuse compliance with statutory and regulatory requirements.”
Conclusion of the Memo	“Immigration court cases involving children present special considerations. EOIR has established dedicated juvenile dockets, and provides specialized training to immigration judges, in light of these considerations. Fairness concerns and the need for a complete and accurate record dictate that [IJs] bear in mind the special nature of children’s cases when adjudicating these cases, whether or not a particular case is on the juvenile docket.”	“Immigration cases involving juveniles are challenging; there is no blanket approach applicable to all such cases. Although juvenile cases warrant special consideration in appropriate circumstances, [IJs] should also be mindful that legal requirements applicable to all immigration cases are not necessarily diminished solely because the respondent is a juvenile.”
Need for Special Consideration	<p>“Children’s cases, whether or not on a juvenile docket, require special consideration.”</p> <p>“Immigration court cases involving children present special considerations.”</p>	“Immigration cases involving children are complicated and implicate sensitive issues beyond those encountered in adult cases. For instance, an infant brought into the United States illegally by his family, an older child smuggled into the United States by relatives, an adolescent gang member, and a teenager convicted as an adult for serious criminal activity are all examples of immigration cases involving children, but they may not warrant identical treatment under the law.”
Judicial Role		
Discretion	Removed.	“It is not intended to limit the discretion of an [IJ], and nothing herein should be construed as mandating a particular outcome in any specific case.”
Training & Preparation	“EOIR has provided, and will continue to provide, training to immigration	“ <u>Applicability to all [IJs]</u> . All [IJs] shall be prepared to adjudicate cases

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	judges on children’s cases. All immigration judges must be prepared to adjudicate children’s cases: they should familiarize themselves with the law and EOIR guidance on children’s cases, as well as with child-friendly courtroom procedures.”	involving juveniles. Accordingly, all [IJs] have the responsibility to be familiar with the applicable law and guidance related to juveniles and to maintain professional competence in adjudicating such cases. <i>Ethics and Professionalism Guide for Immigration Judges</i> , § IV.”
Impartiality	Removed.	“Although juvenile cases may present sympathetic allegations, [IJs] must be mindful that they are unbiased arbitrators of the law and not advocates for either party in the cases they hear. Accordingly, [IJs] must remain neutral and impartial when adjudicating juvenile cases and shall not display any appearance of impropriety when presiding over such cases. <i>Ethics and Professionalism Guide for Immigration Judges</i> , §§ V, VI, and VIII; 5 C.F.R. §§ 2635.101(b)(8) and (14).”
Representation		
Legal Representation	“Given the particular vulnerability of child respondents, legal representation is particularly important. Therefore, immigration judges [IJs] should facilitate pro bono representation in cases involving unrepresented children. Many immigration courts identify child-specific advocates on their lists of pro bono legal service providers. [IJs] should provide the lists to “the children, their guardians or custodians, or other appropriate adults who can assist in their pursuit of representation.” (footnote omitted)	“Neither the INA nor the regulations permit [IJs] to appoint a legal representative or a guardian ad litem. Nevertheless, all Immigration Judges are required to provide a list of pro bono legal service providers in accordance with 8 C.F.R. § 1240.10(a)(2) and should encourage the use of appropriate pro bono resources, consistent with applicable ethical principles.”
Child Advocates	“[IJs] should be aware that the HHS has the authority to appoint Child Advocates in some cases involving child respondents. Child Advocates are responsible for submitting Best Interest Determinations (BIDs) to the [IJ]. ... While a Child Advocate is not an attorney, a Child Advocate is permitted	Not included.

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	to speak during immigration court hearings, and the roles of a Child Advocate and an attorney are complementary and sometimes overlap. Detailed information on child advocates is available in DM 23-03, <i>The Role of Child Advocates in Immigration Court.</i>	
Friends of the Court	“EOIR welcomes and encourages the participation of Friends of the Court [FOC] in all proceedings involving unrepresented respondents, especially those where the respondent is a child.” Learn more about the role of the FOC in DM 22-06, <i>Friend of the Court.</i>	Not included.
Legal Principles		
Best Interests of the Child	<p>“BIDs assess the best interests of the child and are based on a holistic review of the child’s circumstances.”</p> <p>“[T]he concept of ‘best interests of the child,’ which is a widely recognized term of art that encompasses principles of child development relating to a child’s safety and well-being, is relevant in children’s cases.”</p> <p>“The concept of ‘best interests of the child’ does not provide a legal basis for findings regarding removability or eligibility for relief in immigration court, but this concept is relevant in that it underlies BIDs prepared by Child Advocates, and immigration judges have a duty to consider BIDs that are submitted to the court.”</p>	<p>“Issues of law-e.g. determinations of removability and eligibility for relief or protection from removal-are governed by statutes, regulations, and case law. Although 8 U.S.C. § 1232(c)(2) contains provisions for the Department of Health and Human Services (HHS) to consider ‘the best interest of the child’ in certain circumstances, no similar provision exists in the INA directing [IJs] to consider the concept of ‘the best interest of the child’ as a legal standard for determining removability or eligibility for relief or protection from removal. Therefore, this concept alone cannot provide a legal basis for granting relief or protection not otherwise sanctioned by law.”</p>
Sources of Law	“Legal issues in cases involving child respondents – including but not limited to whether the child is subject to removal or is eligible for immigration relief – are governed by the [Immigration and Nationality Act], other applicable statutes, immigration regulations, and caselaw.”	“Accordingly, all [IJs] have the responsibility to be familiar with the applicable law and guidance related to juveniles and to maintain professional competence in adjudicating such cases.”

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Relief Options & Jurisdiction in Unaccompanied Children's Cases		
Requirement to Inform Child of Eligible Relief	<p>“An [IJ] should always inform a child of any relief from removal for which they may be eligible. In some cases, such relief will include special immigrant juvenile classification or asylum under the provisions of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), Pub. L. 110-457.”</p> <p>“Where a child respondent appears potentially eligible for other relief, and that relief requires that an application or petition be filed with an agency or entity outside EOIR, the [IJ] should so inform the respondent. [IJs] should be mindful of time constraints and deadlines faced by child respondents who may be eligible for relief before USCIS or other outside agencies and entities.”</p>	<p>Not included.</p>
Jurisdiction Over Asylum Cases	<p>“Under the TVPRA, United States Citizenship and Immigration Services (USCIS) has initial jurisdiction over an asylum application filed by an unaccompanied child, even if the child is in removal proceedings. See section 208(a)(2)(E) of the Act.”</p> <p>“[IJs] should be cognizant that some forms of immigration relief for children require the filing of applications or petitions with agencies or entities outside EOIR. Where a respondent is an unaccompanied child and appears potentially eligible for asylum, the immigration judge should inform the respondent that their asylum application must be filed with USCIS and not with the immigration court.”</p>	<p>“UAC status is not static, as both a UAC's age and his or her accompaniment status may change. Thus, judges should ensure that an alien claiming to be a UAC is, in fact, a UAC at the time his or her case is adjudicated. Moreover, because a UAC generally receives more favorable treatment under the law than other categories of illegal aliens, there is an incentive to misrepresent accompaniment status or age in order to attempt to qualify for the benefits associated with UAC status.”</p> <p>“Consequently, [IJs], while remaining sensitive to the concerns of juveniles, should be vigilant in adjudicating cases of a purported UAC. In June 2017, all Immigration Court employees were reminded of their responsibilities regarding suspected fraud and abuse, particularly regarding applications for benefits, relief, or protection in</p>



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		removal proceedings, and were directed to take action where warranted. All EOIR employees have an ethical duty to the United States government and its citizens to disclose 'waste, fraud, abuse, and corruption to appropriate authorities.' 5 C.F.R. § 2635.101(b)(1). This duty applies to [IJs] and is further codified in Section VII of the <i>Ethics and Professionalism Guide for Immigration Judges</i> . Because reporting fraud and abuse in the immigration system is an ethical duty of all EOIR employees, including [IJs], any suspicion of fraud or misrepresentation by someone in a UAC case should be reported to the EOIR Office of the General Counsel Fraud and Abuse Prevention Program."
One Year Filing Deadline	"[T]he one-year filing deadline does not apply to asylum applications filed by unaccompanied children. See section 208(b)(3)(C) of the Act."	Not included.
Dismissing Cases with a Pending Asylum Application	"Where an unaccompanied child is in removal proceedings and files an asylum application with USCIS, [IJs] should anticipate receiving a motion to dismiss the case. Assuming there is no dispute between the parties, efficiency and fairness are served by such a dismissal."	Not included.
Voluntary Departure	Removed.	"[IJs] should exercise special care in cases where the respondent is alleged to be a UAC. First, a UAC is eligible for voluntary departure at no cost to the child. 8 U.S.C. § 1232(a)(5)(D)(ii). To the extent practicable, an [IJ] should expedite consideration of a request for voluntary departure by a UAC, especially one that is in the custody of HHS."
Child Testimony & Witness Procedure		
Imprecise and Unclear Testimony	"[IJs] should recognize that children, especially young children, will generally	"Testimony from a child, as with testimony from any witness, is neither inherently reliable nor inherently



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	<p>not be able to testify with the precision and clarity of an adult.”</p> <p>“[A] child’s testimony as to an event may be limited not only by their ability to understand what happened, but also by their skill in describing the event in a way that is intelligible to adults.”</p>	<p>unreliable. As noted above, an [IJ] must always first ensure that a child is competent to testify before considering what weight, if any, to afford that testimony. [IJs] should also recognize that children, especially young children, will usually not be able to present testimony with the same degree of precision as adults. Vague, speculative, or generalized answers by a child, especially a particularly young child, are not necessarily indicators of dishonesty. Immigration Judges should recognize that a child’s testimony may be limited not only by his or her ability to understand what happened, but also by his or her skill in describing the event in a way that is intelligible to adults.”</p> <p>“[IJs] should bear in mind, however, that legal requirements, including credibility standards and burdens of proof, are not relaxed or obviated for juvenile respondents. Thus, although vague, speculative, or generalized testimony by a child witness is not necessarily an indicator of dishonesty, it may nevertheless also be insufficient by itself to be found credible or to meet an applicable burden of proof. <i>See Matter of Y-B-</i>, 21 I&N Dec. 1136 (BIA 1998) (finding that general testimony may be insufficient to meet the burden of proof); <i>Matter of E-P-</i>, 21 I&N Dec. 860, 862 (BIA 1997) (finding that credible testimony alone is not necessarily dispositive to meet the burden of proof).”</p>
<p>Inconsistent Testimony</p>	<p>“[IJs] should not assume that inconsistencies or poor articulation in a child’s testimony reflect dishonesty.”</p>	<p>“Vague, speculative, or generalized answers by a child, especially a particularly young child, are not necessarily indicators of dishonesty.”</p> <p>“[IJs] should bear in mind, however, that legal requirements, including credibility standards and burdens of</p>



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Susceptible to Outside Influences	<p>“[IJs] should be mindful that children can be highly suggestible and that their testimony can sometimes be influenced by a desire to please the judge or another adult.”</p>	<p>“[IJs] should be mindful that children are highly suggestible and their testimony could be influenced by their desire to please judges or other adults.”</p>
Competency	<p>“Before a child testifies, the immigration judge should ensure that the child is sufficiently competent to do so, including whether the child is capable of understanding the oath and giving sworn testimony.”</p>	<p>“As noted above, an [IJ] must always first ensure that a child is competent to testify before considering what weight, if any, to afford that testimony.”</p> <p>“As with any witness, an [IJ] should be confident that the child is competent to testify in the proceedings, including whether the child is of sufficient mental capacity to understand the oath and to give sworn testimony.”</p>
Administering the Oath	<p>“The [IJ] should take care to explain the oath to the child at a level appropriate to the age of the child. For example, a child may be told they should promise to ‘tell the truth’ or to ‘tell what really happened.’”</p>	<p>“The explanation of the oath should vary with the age of the witness: promise ‘to tell the truth’ or promise ‘to tell what really happened,’ etc.”</p>
Answering “I don’t know”	<p>“A child should also be reassured that they may say ‘I don’t know’ if they are unsure how to answer a question and that they may request a question be asked a different way if they do not understand it.”</p>	<p>“Children should be told that it is all right for them to say, ‘I don't know’ if that is the correct answer and to request that a question be asked another way if the child does not understand it.”</p>



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Objections	“A child should be told they should not feel at fault if an attorney raises an objection to a question.”	“[IJs] should also explain to the child witness that he or she should not feel at fault if an objection is raised to a question.”
Written Testimony	“Finally, immigration judges should be aware that it is often appropriate to rely on a child’s written statement in lieu of their oral testimony.”	Not included.
Child-Sensitive Questioning	“When a child is testifying, the [IJ] should speak to the child using the appropriate language and tone, and the judge should ensure that others questioning the child do so as well. The [IJ] and others should always listen carefully to the child’s responses. These points apply even though immigration court proceedings are adversarial. When appropriate language and tone are used when questioning children, this enhances a child’s ability to participate in the proceedings and results in a more complete and accurate record. Some techniques for child-sensitive questioning are outlined in the Attachment below.”	“Employ child-sensitive questioning. Language and tone are especially important when juveniles are witnesses. Proper questioning and listening techniques will produce a more complete and accurate record. The immigration court process is adversarial. Due process and fundamental fairness require that testimony by a juvenile witness, like that of any other witness, be subject to cross-examination, particularly if the testimony is speculative, vague, or contains indicia of inappropriate coaching. Nevertheless, [IJs] should ask and encourage the parties to phrase questions to a juvenile witness in age-appropriate language and tone. Abusive questioning should not be tolerated under any circumstances.”
Interpretation	“Before a child testifies through an interpreter, the [IJ] should allow the child and interpreter to establish a rapport by talking about matters unrelated to the proceeding. The [IJ] should, before and during testimony, watch for any indication that the child and interpreter are having trouble communicating.”	“ <u>Pay attention to the interpreter.</u> [IJs] should permit time for the interpreter and a younger child to establish some rapport by talking about unrelated matters before testimony is taken. [IJs] should also watch for any indication that the child and the interpreter are having difficulty communicating. Any statement to be translated should be made at an age- appropriate level and translated at that level for the child respondent.”
Trafficking & Abuse		
Trafficking & Abuse Assessment	“In cases where a child is the lead or sole respondent, there may be concerns about whether the child is being trafficked, abused, or neglected.	“Issues regarding child abuse/neglect and human trafficking may arise when adjudicating cases involving juveniles. EOIR personnel, including Immigration

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	<p>At the start of a child’s hearing, the immigration judge should inquire who accompanied the child to court in order to determine if additional questioning is necessary to confirm the child is not being trafficked.”</p> <p>“An [IJ] may also ask questions pertaining to potential abuse or neglect. [IJs] must comply with Department of Justice (DOJ) and EOIR policy on reporting suspicions of child abuse, neglect, and trafficking, as well as with any applicable federal, state, or local reporting requirements. DHS and ORR may, where those agencies deem it warranted, initiate investigations into potential trafficking, abuse, or neglect.”</p> <p>“Immigration judges should direct any questions on such policies and requirements to their supervisor.”</p>	<p>Judges, are required to report instances of child abuse and/or neglect and suspected human trafficking in accordance with the guidance outlined in <i>Identification and Referral of Potential Trafficking Victims or Traffickers before the Executive Office for Immigration Review</i> (April 27, 2015) and <i>Identification and Referral of Potential Child Abuse and/or Neglect Victims before the Executive Office for Immigration Review</i> (May 23, 2017). Each protocol offers tools for identifying abuse/neglect and/or human trafficking and guidance for when and how to report it. For assistance with reporting a child abuse/neglect or human trafficking case, please contact the Office of the General Counsel.”</p>
<i>In Absentia Proceedings</i>		
Special Considerations When a Child Fails to Appear	<p>“After a Notice to Appear (NTA) is issued, it is generally incumbent on a respondent to notify EOIR of any change of address, but where a child is the sole or lead respondent, [IJs] should anticipate that special considerations may be at play when the child fails to appear for a hearing.”</p>	Not included.
Special Notice Requirements for Children	<p>“[IJs] should also be aware that there are special notice requirements that apply to some child respondents.” Cites to statutory requirements in 8 C.F.R. § 103.8(c)(2)(ii) and that “Circuit courts may impose additional service requirements in certain situations where respondents are children,” for instance the Ninth Circuit holding in <i>Flores-Chaves v. Ashcroft</i>, 362 F.3d 1150, 1163 (9th Cir. 2004).</p>	Not included.
Failure to Appear & Obligation to Verify Address	<p>“In cases where a child is the sole or lead respondent and fails to appear, the [IJ] should, as with any case, carefully review the Record of Proceedings to verify whether a</p>	Not included.



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	request to change the respondent's address was filed with the court but overlooked."	
<i>Cases on the Juvenile Docket.</i> Continuance Required for First Failure to Appear	"[IJs] should anticipate that, for cases on the juvenile docket, the first time a child fails to appear in their proceedings, whether at an initial master calendar hearing or a subsequent hearing, the OPLA attorney will request a thirty-day continuance to reverify the child's address information."	Not included.
<i>Cases on the Juvenile Docket.</i> Consider Age and Totality of Circumstances Before Proceeding <i>In Absentia</i>	<p>"Should the child fail to appear at the next hearing, the OPLA attorney will, absent extenuating circumstances, generally request that the immigration judge proceed in absentia."</p> <p>"Whenever a child respondent fails to appear at a hearing and the OPLA attorney requests to proceed in absentia, the immigration judge should consider the totality of the circumstances in determining whether to grant the request, including the respondent's young age and any impediments to the child's attending their hearing of which the judge is aware."</p>	Not included.
Child-Friendly Hearing Procedures		
Hearing Length	<p>"Like any other proceeding, the parties in a case with a child respondent must be given a full opportunity to present and challenge evidence. However, children can be particularly impacted by stress and fatigue, which can limit a child's ability to participate in their removal proceedings. [IJs] should bear these factors in mind when conducting proceedings where a child is the lead or sole respondent."</p> <p>"[IJs] should, as much as possible, limit the number of times a child must be brought to court, as well as the</p>	<p><u>Be aware of time.</u> As in any case, the [IJ] should give the parties a full opportunity to present or challenge evidence. However, stress and fatigue can adversely impact the ability of a younger child to participate in his or her removal proceedings. Therefore, where appropriate, [IJs] should seek not only to limit the number of times that children must be brought to court but also to resolve issues of removability and relief without undue delay."</p> <p>"Additionally, if a child is called to testify, Immigration Judges should</p>



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	duration of hearings and the length of a child's testimony."	consider limiting the amount of time the child is on the stand without compromising due process for the opposing party."
Number of Hearings	"[IJs] should, as much as possible, limit the number of times a child must be brought to court, as well as the duration of hearings and the length of a child's testimony."	"Therefore, where appropriate, [IJs] should seek not only to limit the number of times that children must be brought to court but also to resolve issues of removability and relief without undue delay."
Hearing Breaks	"[IJs] should also recognize that, for emotional and physical reasons, children may require more frequent breaks than adults."	"Similarly, [IJs] should recognize that, for emotional and physical reasons, children may require more frequent breaks than adults."
Pre-Hearing Resolution	"As much as possible, [IJs] should prompt parties to resolve issues through pre-hearing conferences and stipulations."	Not included.
Control Access	"As a general practice, it is best to have as few people in the courtroom as possible. Children may be reluctant to testify about painful or embarrassing incidents or may simply be intimidated when there are too many adults in the room. A child's reluctance to speak may increase with the number of spectators or other respondents, and [IJs] should, to the extent possible, limit the number of individuals present in the courtroom to only those necessary to complete the hearing."	"Young children may be reluctant to testify about painful or embarrassing incidents, and the reluctance may increase with the number of spectators or other respondents present. Although hearings are generally open to the public, judges should be sensitive to the concerns of juveniles if there is a motion to close the hearing pursuant to 8 C.F.R. § 1003.27."
Courtroom Modifications	"[IJs] should permit reasonable modifications to the courtroom setting so as to accommodate the needs and sensitivities of children and to foster an atmosphere in which they can participate more fully in the proceedings. Examples of such modifications include allowing a young respondent or witness to bring a book, quiet toy, or other personal item to court, allowing them to testify sitting next to an adult companion, and allowing them to testify sitting anywhere reasonable in the courtroom, as opposed to requiring	"Courtrooms are not equipped with special furniture designed for children. However, [IJs] can and should permit reasonable modifications to the courtroom to accommodate children, such as: permitting counsel to bring pillows or booster seats for young respondents; permitting young respondents to sit in one of the pews with an adult companion or permitting the companion to sit at counsel's table; allowing a young child to bring a quiet toy, book, or other personal item into the courtroom; permitting the child to testify while seated next to an adult or



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	them to testify from the witness stand.”	friend, rather than in the witness stand; etc. These simple and common sense adjustments would not alter the serious nature of the proceedings. They would, however, help foster an atmosphere in which a child is better able to participate more fully in the proceedings.”
Courtroom Orientation	“Where practicable, [IJs] should allow child respondents (along with a guardian or legal representative) to visit an empty courtroom prior to a hearing. Under the supervision of court personnel, a child should be permitted to explore the courtroom, to sit in all locations, including the witness stand and the immigration judge’s bench, and to prepare for testimony by practicing answering simple questions.”	“The courtroom is usually an unfamiliar place for children. To the extent that resources and time permit and under the supervision of court personnel, children may be permitted to explore the courtroom—other than the [IJ]’s bench, records of proceedings, and courtroom technological equipment such as computers and video teleconferencing units- and to practice answering simple questions in preparation for testimony. Additionally, to the extent that resources permit, court administrators should be receptive to requests by legal representatives or custodians of children to visit immigration courts prior to the initial hearing. Court administrators should also be open to other ways to familiarize children with court operations.”
Remove the Robe	“[IJs] should remove the judicial robe if doing so would make the child feel more comfortable and enhance their ability to participate.”	“Like the courtroom, the robe is a symbol of the [IJ]’s independence and authority. While most children will be far more interested in the judge’s behavior than the judge’s attire, the robe may be disconcerting for younger respondents. If an [IJ] determines in a particular case that dispensing with the robe would add to the child’s ability to participate, OPPM 94-10, <i>Wearing of the Robe During Immigration Judge Hearings</i> , is modified to permit the judge to remove the robe in that instance.”
Explain Proceedings	“At the start of an individual calendar hearing where a child is the sole or lead respondent, or a master calendar	“In cases involving juveniles, [IJs] should consider making a brief opening statement at the beginning of each



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	<p>session on the juvenile docket, the [IJ] should give an opening statement in child-appropriate language. The purpose of such a statement is to explain the nature of the proceedings, to introduce the participants and describe each person’s role, and to explain operational matters such as interpretation and note-taking. The goal is to help child respondents understand the process and to alleviate their anxiety about the hearing.”</p>	<p>proceeding or at the commencement of a specialized docket for juvenile cases to explain the purpose and nature of the proceeding, to introduce the parties and discuss each person’s role, and to explain operational matters such as recording, interpreting, and note taking.”</p>
<p>Waiver of Appearance</p>	<p>Removed.</p>	<p>“<u>Waiver of a juvenile’s appearance.</u> Unless a juvenile’s appearance has been waived by the Immigration Judge, he or she is obligated to attend his or her immigration proceeding. Immigration judges should adhere to the requirements of 8 C.F.R. § 1003.25 in determining whether to waive a juvenile’s appearance at a hearing. In all cases where an [IJ] waives the presence of a juvenile at a hearing, the [IJ] must state on the record that the waiver has been granted or must issue a written order to that effect.”</p>

