After Your Credible Fear Interview: If you are told you will have an "Asylum Merits Interview"

Credible Fear Determination
The paper with the decision from your Credible Fear Interview. It will say I-870 at the bottom. Review it carefully.

Negative Credible Fear Determination

Positive Credible Fear Determination

Are you still afraid to return to your home country?

Yes

No

Request Voluntary Departure

Immediately Request Review from an Immigration Judge
Tell an ICE officer or asylum officer that you want a Judge to review your credible fear determination. Make sure that your paperwork includes Form I-869. If not, ask for it. This form includes a box to check if you would like for a Judge to review your case. Check that box and turn it in.

Be prepared to present the details about your fear to return home again to the Judge. If something went wrong at the credible fear interview, explain to the Judge what went wrong. Examples: there were problems with the interpreter at the credible fear interview, there is incorrect information that must be corrected, you have new evidence.

Positive Outcome:
Judge Reverses Negative Credible Fear Determination

Negative Outcome:
Judge Affirms Negative Credible Fear Determination

IMMEDIATELY send a letter to the asylum office titled Request for Reconsideration, explaining what went wrong in the Credible Fear Interview process and why it was not fair, if applicable. Ask for a new Credible Fear Interview.

This request must be received within 7 days of the Judge's decision.

Examples: you have new evidence, there were problems with the interpreter at the credible fear interview or at the hearing with the Judge, there is information that must be corrected.

Proceed to "Asylum Merits Interview" process before a USCIS officer
- Certain asylum seekers with positive credible fear determinations who intend to reside in Boston, Chicago, Los Angeles, Miami, Newark, New York, or San Francisco may be referred to the Asylum Merits Interview ("AMI") process.
- You should be considered for release from detention.
- Try to find a lawyer as soon as possible.
- Ask for a transcript of your Credible Fear Interview and check it carefully for any errors.
- Your "Credible Fear Determination" is your official asylum application. You do not need to file form I-589.
- You may try to ask for more time, but it must be for a strong reason. For example, in most cases it is not enough to say you are still looking for a lawyer.