After Your Credible Fear 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?

No

Request Voluntary Departure

Yes

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 woud 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 Outome: Judge Reverses Negative Credible Fear Determination

Negative Outcome: Judge Affirms Negative Credible Fear Determination

Notice to Appear is Issued

- 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.
- You will now have to request asylum in immigration court. You must file **Form I-589** within one year of arriving to the United States or when the Judge requires it, whichever comes first.
- You must appear at court. The first court date is called the Master Calendar Hearing. You can usually ask for more time if you need to find a lawyer.
- The final court date is called the "Individual" or "Merits" Hearing, where you will make your case before the Immigration Judge.
- After the final decision, both you and the government have 30 days to appeal.

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.

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Commission on Immigration