

ICE STIPULATIONS TO REMOVAL FAQ & EXPLAINER

Advocates began seeing this stipulation given to people in detention centers in spring 2025. ICE is giving this document to people when they are detained, including people who are already in proceedings in immigration court. Often they are already filled out when presented to the detained person, and advocates have seen them in both English and Spanish.

A **stipulation** is an agreement between two people that a court enforces; it is typically filed in a court after both people have signed. Stipulations like the one below are an agreement between a person in deportation proceedings and ICE that the person in deportation proceedings will be deported **without seeing an immigration judge (either again or for the first time) or presenting a case in immigration court.**

An ICE officer may tell the person in deportation proceedings that if they do not sign this form, they will be imprisoned for a long time or that it will take many months to have a hearing.

If a person **does not sign this form**, they will wait for a hearing with an immigration judge. It may take several weeks or more than a month to get a hearing because there are so many cases. Not everyone is eligible for release on bond, but anyone can ask the judge to decide if they are eligible for a bond.¹ If a person in deportation proceedings wants to present their case to the immigration judge, they have the right to do that. **Nobody is required to sign this form.**

If they choose to sign this form, ICE will also sign it and then ICE will file it with the immigration judge. It will take some time for the immigration judge to accept the stipulation and enter the order of removal, so the detained person and their family may see a pending court date in the [Automated Case Information](#) system for some time even after signing this stipulation. Once the judge has issued a final order of removal in the deportation case, ICE will then be able to process the person for deportation. This may take several weeks or months.

ICE may put a lot of pressure on a person to sign this form, but each person gets to make their own decision about their immigration case and whether this stipulation is right for them. For a person who does not want to wait in detention, this form might help them get deported faster, but it may still take weeks or months to be deported.

For someone who signed this form, but now wants to change their mind, there may be some options. **First**, if ICE has not yet filed the stipulation with the immigration court, the person or their attorney could write to ICE and explain that the person wishes to change their mind, including any reasons why the person felt pressured or coerced into signing. **Second**, if ICE has filed the stipulation, but the immigration judge has not ruled on it, the person or their attorney could file a motion to withdraw the stipulation with the immigration court, explaining why the person felt pressured or coerced into signing it, or why they have now changed their mind. **Third**, if the immigration judge has ordered removal, the person or their lawyer can consider filing a [Motion to Reopen](#).

Attached is a copy of the stipulation with information explaining what each part means.

¹ Unless there is a change in circumstances, the law only allows **one** bond hearing, so it is advisable to try to find an attorney or other support in filing for a bond.

This agreement between a person in immigration court and ICE is to be deported without seeing an immigration judge or presenting a case in immigration court.

Do not sign this form UNLESS you want to be deported without seeing a judge.

STIPULATION

I, _____, make the following statements and admissions:

1. I am at least 18 years of age.
2. I have received a copy of the Notice to Appear dated _____, which contains my full, true, and correct name. The allegations and charge(s) on the Notice to Appear have been read to me in English, which is a language that I fully understand.
3. I understand that I have the right to a hearing before an Immigration Judge. I also understand that if I have a hearing, the Immigration Judge will decide if I am subject to removal from the United States. If I am subject to removal, I understand that the Immigration Judge will decide if I can apply for relief from removal.
4. I understand that I have the right to be represented in removal proceedings by an attorney or authorized representative. I understand that I have the right to choose my own attorney or representative. I also understand that the government will not pay for my attorney or representative. I have received a list of free legal services providers published by the Executive Office for Immigration Review.

I understand the above, and I wish to proceed as follows: (Check "A" or "B")

- ☐ A. I do not wish to be represented in these proceedings by an attorney or authorized representative. I wish to represent myself in these proceedings.

*If you DO NOT want an attorney or want time to look for an attorney
or*

- ☐ B. I am represented in these proceedings by an attorney or other representative whose Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court (Form EOIR-28) is attached.

If you have an attorney

If you do not have an attorney but want time to find an attorney to speak with about this document, you can tell ICE that you do not want to sign this document right now.

5. I have been advised that by signing this Stipulation, I will be giving up the following legal rights and privileges:

If you want to go to court and speak with an immigration judge, you should not sign this form - this portion says that you are giving up your rights to go into court. You have rights to go to court if you want to, but may not be able to take back signing away these rights.

- a) the right to require the government to prove I am removable from the United States;
- b) the right to have a hearing before an Immigration Judge who would review my case and inform me if I may be eligible to apply for any relief from removal;
- c) the right to question any witnesses presented by the government, and to present witnesses on my behalf;
- d) the right to present evidence and object to evidence presented by the government;
- e) the right to have all removal hearings before the Immigration Judge recorded; and
- f) the right to appeal the Immigration Judge's decision.

I understand each of the above rights, and I waive these rights.

6. I do not want to have a hearing before an Immigration Judge. I request that the Immigration Judge issue a written order of removal without a hearing. I understand that the Immigration Judge will only review this Stipulation and any other documents in my court record. I understand that the Immigration Judge's written order of removal will be final.

7. I admit that all of the factual allegations contained in the Notice to Appear are true and correct. I also agree that I am removable as charged on the Notice to Appear.

8. I am not a citizen of the United States. I am a citizen of _____. My father is a citizen of _____. My mother is a citizen of _____. I do not claim United States citizenship or nationality. I have not filed an application for naturalization.

9. I choose _____ as the country designated for my removal. → Usually, this is only your country of citizenship*

10. I have no fear of harm of any kind if I return to that country, and do not wish to apply for asylum, withholding of removal, or protection under the Convention Against Torture. → If you have a fear in the country where you're a citizen and you sign this, it could hurt your ability to claim asylum in the future

11. I do not wish to apply for any other relief from removal. I understand that such other relief could include voluntary departure, adjustment of status, change of status, cancellation of removal, or registry. I understand that, by signing this written request, I will be giving up the right to a hearing in which the Immigration Judge will review my case and inform me if I may be eligible to apply for any relief from removal.

← This says that you do not want to see an immigration judge and will not have an opportunity to present your case at all to the immigration court.

If you sign this form, you are **not eligible** for voluntary departure

Initials _____

12. The box I checked below indicates my current immigration status. (Check "A" or "B")

☐ A. I am not a lawful permanent resident of the United States.

☆☆☆ By signing,
LPRs/
greencard
holders are giving
up that status
permanently

or

☐ B. I am a lawful permanent resident of the United States. I understand that by signing this written request I will no longer have lawful permanent resident status. I understand that by giving up my lawful permanent resident status it is possible that I may never be able to become a lawful permanent resident again.

13. I agree that this Stipulation will be made part of the record for the Immigration Judge to review.

14. I understand that I have the right to appeal the Immigration Judge's written order of removal. I also understand that I might even qualify to appeal for free. I knowingly and willingly waive the right to appeal. I understand that the Immigration Judge's written order of removal will be final.

15. I understand that it is possible I will not be allowed to return to the United States for 5 or 10 years, or even possibly for 20 years. I also understand that it is possible I will never be allowed to return to the United States. Taking a deportation order will result in not being able to obtain a visa for a long time, or at all

16. I understand that if I return to the United States without permission I could be removed again. I also understand that by returning or attempting to return without permission, I could be criminally prosecuted and sentenced to up to 20 years in prison.

17. I understand this Stipulation because: (Check "A" or "B")

Make sure this box is marked if you did not speak English with the officers.
You do not have to sign this form if it was not explained to you in a language you understand
☐ A. This Stipulation was read to me in _____, a language that I fully understand.

or

☐ B. I read this Stipulation without assistance because I am capable of reading and understanding English.

I fully understand and accept the consequences that will result from signing this Stipulation. I also understand that if I sign this Stipulation, I will be removed from the United States if an Immigration Judge signs a final order of removal. I voluntarily, knowingly, and intelligently submit this request for an order of removal, as demonstrated by my initials on each page and my signature.

Stipulation

File No. A

18. I certify that the information I have provided in this Stipulation is all true and correct. I understand that, if any of the information I have provided is false, I may be criminally prosecuted for perjury. I also understand that I may be criminally prosecuted for making a false statement to a United States official if any of the information I have provided is false or intentionally misleading. I understand that, if I am convicted of either of these offenses, I could be fined and sentenced to up to five years in prison.

ICE cannot legally send you to jail or criminally prosecute you just because you decide not to fill out and/or sign the form.

Re-entering the U.S. without lawful status in the future after being deported after signing this form could lead to criminal prosecution and jail.

Remember you do not have to sign without the opportunity for legal advice

Respondent's Signature

Date

Initials _____

CERTIFICATION OF IMMIGRATION OFFICER (IF APPLICABLE)

I, _____, hereby certify that on _____, I read this Stipulation to the respondent in its entirety in the English language.

-or-

I, _____, hereby certify that on _____, I read this Stipulation in its entirety to the respondent in the English language. A telephonic interpreter identified as _____, certified in English and the _____ language, interpreted for the respondent from English into the _____ language.

-or-

I _____, hereby certify that on _____, the respondent stated to me that he/she read the entire Stipulation in the English language. I determined that the respondent could read English by having the respondent read to me paragraphs 2, 3, 5, and 10 of this Stipulation in English.

Signature of Immigration Officer

Date

Printed Name and Title of Immigration Officer

CERTIFICATION OF IN-PERSON INTERPRETER (IF APPLICABLE)

I, _____, am competent to translate and interpret from English into the _____ language and I certify that I have read this Stipulation to the respondent in its entirety in the _____ language.

Signature of Interpreter

Date

Printed Name and Title of Interpreter

CONCURRENCE OF ICE ATTORNEY

The respondent's alien registration file and the attached documents have been reviewed and do not reflect that the respondent has filed a claim to United States citizenship or nationality, that the respondent has an application for legalization under sections 210 or 245A of the Immigration and Nationality Act pending, or that a visa petition has been approved on the respondent's behalf. The government concurs with the respondent's request pursuant to 8 C.F.R. § 1003.25(b) that the Immigration Judge issue a written order of removal without holding a hearing and waives its right to appeal.

Signature of ICE Attorney

Date

Printed Name and Title of ICE Attorney

CONCURRENCE OF RESPONDENT'S ATTORNEY OR REPRESENTATIVE (IF APPLICABLE)

I have discussed this Stipulation with the respondent. I have read the respondent's statements and representations and concur that the facts and admissions contained in this Stipulation are true and correct. The respondent will accept a written order of removal as a final disposition of these removal proceedings and waives the right to appeal. The respondent's decision to accept the order of removal and waive the right to appeal is done voluntarily, knowingly and intelligently, in full understanding of the consequences.

Signature of Respondent's Attorney or Representative

Date

Printed Name of Respondent's Attorney or Representative