



Basics of the U.S. Asylum Process

Bypass Border Inspection

Border Inspection

Pro-active filing from within U.S.

AFFIRMATIVE APPLICATION
Interview with Asylum Officer

Asylum granted?

Referred to IJ

Identified by authorities within U.S.

PLACED IN REMOVAL PROCEEDINGS
Appearance before Immigration Judge (IJ)
▼ Notice to Appear
▼ Bond Hearing (if detained)
▼ Master Calendar Hearing
▼ Individual Hearing

Asylum/WH /CAT?

BOARD OF IMMIGRATION APPEALS (BIA)
▼ Submit briefs
▼ Oral arguments (rare)

Asylum/WH /CAT?

FEDERAL COURT OF APPEALS
Petition for review
▼ Submit briefs
▼ Oral arguments (if allowed)

Case verdict?

Reverse, WH/CAT granted

Uphold

Reverse, remand

Protection Granted!

Removal

Still in status?

Admitted?

YES (e.g. student visa or business visa)

NO (e.g. bad documents or no documents)

Fear of persecution / torture?

YES

NO

Credible Fear Interview

Expedited Removal

Determination?

Favorable

Unfavorable

Review before IJ

IJ agrees?

NO

YES

Expedited Removal

Remand to Immigration Judge

Remand to BIA