



## Immigration Bonds

### WHAT IS AN IMMIGRATION BOND?

A **bond** is money that someone pays to get someone else out of custody or jail. An **immigration bond** is money paid to get someone out of the custody of the immigration service (Immigration & Customs Enforcement, or “ICE”). If you go to all of your court hearings and follow all the orders set by the Immigration Judge or ICE, including leaving the country if required, the bond money will be returned when your case is over. But, ICE keeps the bond money if you do not go to court or follow the orders.

### HOW DO I ASK FOR A BOND?

Sometimes ICE sets the bond amount. If no bond has been set, you can ask the Immigration Judge to set a bond on your case. You ask for a **bond hearing**. At a bond hearing, you can also ask the Immigration Judge to lower the bond if you think ICE set it too high. The lowest bond amount that an Immigration Judge can set is \$1,500. Be careful when you ask the Immigration Judge to lower your bond. The Judge could decide to raise your bond if they think it was set too low. People with certain criminal convictions cannot get bonds.



### WHAT HAPPENS AT A BOND HEARING?

When deciding whether to set or lower a bond, the Immigration Judge will look to see if you are a “flight risk,” or a danger to the community. A flight risk is someone who is not likely to show up at their court hearings if let go.

Some things a Judge may think about when deciding a bond case are:

- Your family ties to the U.S., and the immigration status of family members
- If any immigration petitions have been filed for you
- Your community ties, like being a part of religious or community groups
- If you own property in the area
- Your work history, and if a job is waiting for you once you are released
- Your criminal history and rehabilitation
- Past immigration problems, such as deportations, arrests, or unlawful presence
- Your chances of getting or keeping legal immigration status

Try to show the Immigration Judge that you are not a flight risk or a danger to the community. You should have your family and friends send or bring you evidence. It can be things like:

- Copies of the LPR (Legal Permanent Resident) cards, U.S. birth certificates or naturalization certificates of your spouse, children and parents

- Copies of the receipt or approval notices from immigration applications filed for you
- Proof of property you own in the U.S.
- Proof of legal employment
- Letters of support from family or community members



## PAYING THE BOND

It is possible to be let out the same day that your bond money is paid. To make sure that you are let out the same day, it is better to pay the bond as early in the day as possible.

The bond amount must be paid in full, with a U.S. postal money order, or a cashier's check issued from a bank. **Cash, personal checks, or money orders that are not from the post office are not accepted.** The money order or cashier's check must be made out to "Immigration and Customs Enforcement." Your family or friends have to pay the bond in person, at any ICE office in the U.S.

Local ICE offices where a bond can be paid are:

### **Bloomington ICE Office**

7851 Metro Parkway, Suite 253  
Bloomington, MN  
7:30 a.m. to 1:00 p.m., Monday -Friday

### **Sioux Falls ICE Office**

300 East 8<sup>th</sup> Street  
Sioux Falls, South Dakota.  
8:00 a.m. to 3:00 p.m., Monday-Friday

**Note:** The Bloomington ICE Office for paying a bond has changed. The new address is the one listed. If you have any questions about paying a bond in Bloomington, call ICE officer Bill at 952-853-5915.

The person paying the bond is called the "obligor." There are rules about who can be your obligor. If the obligor does not follow the rules, ICE will not release you.

- The obligor must be in the U.S. legally
- The obligor must know you
- The obligor must know how to speak, write and read English
- The obligor must bring a government-issued photo ID and a valid social security number with them when they go to pay

The obligor will also have to give this information:

- their name, current address, and phone number
- your name, address, phone number and immigration case file number if known



***A person who is not in the U.S. legally should NOT try and pay a bond for someone else. ICE could take them into custody and remove them from the U.S.***

***A person who is in the U.S. legally but has criminal convictions or pending criminal charges should talk with an immigration attorney before paying a bond for someone else.***

## **BOND COMPANIES**

If no-one can come up with the full amount of the immigration bond, there are bond companies that might help. Bond companies are private businesses that pay a portion of the bond. A friend or family member can set up an agreement with them. Be careful! Bond companies often charge high interest rates, ask for “collateral,” or keep all of the bond money when it is returned. Collateral is something of value that the person signing the papers agrees to let the bond company keep if you do not go to your court hearings or follow the orders set by the court or ICE.

## **RETURNING THE BOND MONEY**

When your immigration proceedings are over, ICE returns the full amount of the bond money to the person who paid the bond (the obligor). The ICE office sends paperwork for the obligor to fill out and return. Once ICE gets the papers back, they mail the bond money to the obligor. If the obligor moves before the proceedings are done, they should let ICE know. ICE cannot return the money if they do not have a current address for the obligor.



To find other Legal Aid Society materials, including any fact sheets mentioned in this document, go to [www.lawhelpmn.org/LASMfactsheets](http://www.lawhelpmn.org/LASMfactsheets).

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