

Do you want to return to your home country?

Voluntary Departure

What is Voluntary Departure?

- Voluntary Departure allows you to leave the U.S. without a deportation order AND return to the U.S. legally in the future if you qualify.

Benefits of Voluntary Departure

- There is no order of deportation in your immigration record. You can return to the U.S. legally in the future if you qualify.

Do You Qualify for Voluntary Departure?

- You may qualify for Voluntary Departure if:
 - You are able to show the judge that you are a good person and deserve the opportunity to return to the U.S. legally in the future.
 - You are able to pay for your trip home.
- You do not qualify for Voluntary Departure if you have been convicted of an aggravated felony. (Talk to an immigration lawyer if you are not sure.)

What Should You Do Next?

1. Decide if a Voluntary Departure is good for you.
 - a. If you qualify for asylum, cancellation of removal, adjustment of status, or any other defenses, you may want to fight your case *instead* of asking for voluntary departure.
 - b. If you ask for Voluntary Departure at your first hearing, you give up the right to fight your case. (Talk to an immigration lawyer if you are not sure.)
2. If you ask for Voluntary Departure, put together information for the judge:
 - a. Letters of support from family, friends, religious leaders, or employers that say you are a good person (all letters must be translated into English).
 - b. Birth certificates, copies of green cards, and other papers showing members of your family are U.S. citizens or legal permanent residents.
 - c. Copies of your marriage certificate if your spouse is a U.S. citizen or legal permanent resident.

- d. Proof that a family member has files an “I-130 Petition” for you to get lawful permanent residency.
 - e. Certificates from any classes you have completed.
 - f. Proof that you support your family.
 - g. Any other information that shows you are a good person.
3. Ask family members, friends, or anyone who supports your case to talk with the judge about you. They may:
 - a. Come to the court and talk with the judge or
 - b. Talk with the judge by telephone. (You might want to ask the judge for permission to have people to talk with the judge by telephone.)
4. You must pay your bond if you receive Voluntary Departure and you need time our of detention before you leave the U.S.

This information is not intended, nor should it be construed in any way, as legal advice. The information does not extend or limit the jurisdiction of the Immigration Courts as established by law ad regulation. Nothing in this packet shall limit the discretion of Immigration Judges to act in accordance with law and regulation.