



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION



Asylum
Online Course

Exercise: Responding to DHS's Rebuttal Evidence

Exercise Instructions

Identify possible arguments against admitting and/or relying on each piece of evidence identified below. Note the relevance of the timing of the submission (that is, whether the document is submitted on or after the callup date).

Type of Evidence	Timing of Submission	Possible Responses/Objections
Evidence that the respondent was firmly resettled in a third country	On or before the callup date (deadline for submitting documents to the court)	
Evidence that the respondent was firmly resettled in a third country	At a merits hearing	
Credible fear transcript	On or before the callup date	
Credible fear transcript	At a merits hearing	
I-213 and Q&A	On or before the callup date	
I-213 and Q&A	At a merits hearing	
Department of State country report	On or before the callup date	
Department of State country report	At a merits hearing	
FBI or Board of Prisons printout (as evidence of criminal history)	On or before the callup date	



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION



Asylum
Online Course

FBI or Board of Prisons printout (as evidence of criminal history)	At a merits hearing	
Forensic Document Lab (FDL) report asserting that one or more of the respondent's documents appear to have been falsified.	On or before the callup date	
Forensic Document Lab (FDL) report asserting that one or more of the respondent's documents appear to have been falsified.	At a merits hearing	
Police reports relating to an arrest in the United States	On or before the callup date	
Police reports relating to an arrest in the United States	At a merits hearing	
Evidence that the respondent has been identified as a gang member by local law enforcement	On or before the callup date	
Evidence that the respondent has	At a merits hearing	



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION



Asylum

Online Course

been identified as a gang member by local law enforcement		
DHS counsel's verbal assertion of a particular fact.	At any time	