INFOGRAPHIC 05 · IMMIGRATION BAIL BONDS

Bond Hearings in 2026: It Depends on the Circuit

For people who entered without inspection and were later arrested inside the U.S.

1st Circuit — BOND HEARING
ME, MA, NH, RI, PR

2nd Circuit — BOND HEARING
CT, NY, VT

3rd Circuit — BOND HEARING
DE, NJ, PA, VI

4th Circuit — BOND HEARING
MD, NC, SC, VA, WV

5th Circuit — NO IJ BOND
LA, MS, TX

6th Circuit — BOND HEARING
KY, MI, OH, TN

7th Circuit — BOND HEARING
IL, IN, WI

8th Circuit — NO IJ BOND
AR, IA, MN, MO, NE, ND, SD

9th Circuit — BOND HEARING
AK, AZ, CA, HI, ID, MT, NV, OR, WA, GU, MP · includes California

10th Circuit — BOND HEARING
CO, KS, NM, OK, UT, WY

11th Circuit — BOND HEARING
AL, FL, GA

Supreme Court
Agreed Oct. 1, 2026 to decide the question in *Rhoney v. Barbosa da Cunha*. The map may change after it rules.

WHAT THE LABELS MEAN

Bond hearing
The circuit's court of appeals rejected mandatory detention for this group, so a person can generally ask an immigration judge for bond.

No IJ bond
The circuit's court of appeals sided with the government's reading (Matter of Yajure Hurtado). Generally no immigration-judge bond hearing for this group.

Not a bond
A hearing is not a guarantee. The judge still decides, and other mandatory detention rules can apply.

CALIFORNIA → The Ninth Circuit held on July 30, 2026 (*Rodriguez Vazquez v. Bostock*) that people arrested in the interior are not subject to mandatory detention under § 1225(b)(2)(A).

TRANSFERS MATTER → The facility's location, not the family's home state, decides which circuit's rule applies. Ask an immigration attorney about any specific case.

Questions about an immigration bond?

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Educational only. Not legal advice. Not a law firm. Not affiliated with ICE, DHS, CBP, EOIR, USCIS, or any court. Bond eligibility, amounts and conditions are set by ICE or an immigration judge. No outcome is guaranteed. Last reviewed November 3, 2026.

Sources: Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025); Rodriguez Vazquez v. Bostock, No. 25-6842 (9th Cir. July 30, 2026); SCOTUSblog (Oct. 1, 2026); ACLU statement on Rhoney v. Barbosa da Cunha (Oct. 1, 2026). Status as of Oct. 2026; territories shown by postal code.

Source: ImmigrationBailBonds.bond · immigrationbailbonds.bond/infographics/bond-hearings-by-circuit-2026