



OOD
PM 21-16

Effective: March 17, 2021

To: All of EOIR
From: Jean King, Acting Director
Date: March 17, 2021

CANCELLATION OF POLICY MEMORANDUM 20-01

PURPOSE:	Rescind and cancel Policy Memorandum 20-01
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	Policy Memorandum 20-01

As part of EOIR's ongoing efforts to improve operations and review existing policy memoranda, the following Policy Memorandum (PM) is rescinded:

1. PM 20-01, *Case Processing at the Board of Immigration Appeals*

PM 20-01 was issued in relation to the publication of the final rule titled "Appellate Procedures and Decisional Finality in Immigration Proceedings," 85 Fed. Reg. 81588 (Dec. 16, 2021), which has been enjoined until further court order and is no longer in effect. *See Centro Legal de la Raza, et al., v. EOIR, et al.*, No. 3:21-cv-00463-SI (N.D. Cal.). The revocation of PM 20-01 is consistent with that court order and with Executive Orders 14010 and 14012 (Feb. 2, 2021).

Upon this rescission, the Board of Immigration Appeals (BIA) returns to the case management system established by regulation that was effective on September 25, 2002, to manage the Board's caseload. *See* 8 C.F.R. § 1003.1 (formerly 8 C.F.R. § 3.1¹). The need for any internal guidance regarding the topics covered in the rescinded PM will be determined by the BIA in consultation with the Office of the Director.

Please contact your supervisor if you have any questions.

¹ Following the creation of DHS in 2003 by the Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135, EOIR's regulations were moved from chapter I of title 8, CFR, to chapter V. Aliens and Nationality; Homeland Security; Reorganization of Regulations, 68 FR 9824 (Feb. 28, 2003). Part 3 was duplicated for EOIR at part 1003.