

## **User Manual**

### **EOIR Expanded Electronic Filing Pilot**

This manual explains the procedures for participation in EOIR's expanded electronic filing pilot. For more information, and to participate in the pilot, please visit: <https://www.justice.gov/eoir/ECAS>.

Volunteering pilot participants must adhere to the following procedures. If any procedures are not specifically listed here, participants should follow the instructions contained within the Immigration Court Practice Manual. Participants should reference this manual regularly to monitor it for changes to the electronic filing processes during the pilot. EOIR will also make note of changes on the pilot informational website to assist volunteer pilot participants.

#### **(1) Users and Registration**

(a) Users. Only attorneys and fully accredited representatives registered with the pilot are eligible to electronically file documents at this time. DHS users will also be able to electronically file documents through a parallel filing portal.

(b) Registration. To participate in the pilot, users must:

- (i) register with EOIR through eRegistry;
- (ii) log in to the eInfo system through eRegistry; and
- (iii) accept the [terms and conditions](#) for the electronic filing pilot.

Once a user accepts the terms and conditions for the pilot, the upload button for each of the user's electronic filing eligible cases will become active within eInfo, which will display a list of cases for which the user has filed a Notice of Entry of Appearance in Immigration Court (Form EOIR-28).

(c) Participation. If an attorney or fully accredited representative chooses to participate in the pilot, the user must participate for all of the user's electronic filing eligible cases, as defined in section (d) below.

(d) Electronic Filing Eligible Cases. All cases initiated after an immigration court's pilot start date will have an electronic Record of Proceeding (eROP) eligible for electronic filing in eInfo. The court may also choose to scan existing paper ROPs to create eROPs. Users can determine which of their cases are electronic-filing eligible by viewing their cases in eInfo and looking for an active upload button.

(e) Opting Out of Pilot. If a user wishes to opt out of the pilot, the user must select the "Opt out" link in eInfo, located at the bottom of the page. By choosing to opt out, the user is opting out for all electronic filing eligible cases. Once opted out of the pilot, the user must follow all non-electronic filing procedures for all of their cases.

## **(2) Electronic Filing**

(a) eInfo. To file documents electronically in eligible cases, users must use the eInfo application. Any documents sent to EOIR through email will be rejected and will not be considered filed.

(b) Format of electronic filings.

(i) The maximum file size is 25 MB (Megabytes). A user may separate a file into multiple filings to meet this requirement, but should add a “Part 1” and “Part 2” as necessary to the end of the file names.

(ii) Only PDF, JPG, and JPEG files are allowed. PDF files are preferred. JPG and JPEG files should be limited to submissions that cannot be submitted in PDF, such as photographs.

(iii) Documents must have page numbers.

(iv) The resolution for scanned documents must be at least 300 DPI (dots per inch). Users should use a reasonable resolution that minimizes file size while still providing clear readability.

(v) Separate submissions cannot be combined into a single file and should be separated based on the upload categories in eInfo. For example, if a user wants to file an asylum application, a supporting brief, and country conditions documentation, the user should file (1) the application separately; (2) then the brief separately; and (3) then the country conditions evidence package separately.

(vi) No compound motions are allowed. Each motion must be a separate submission.

(vii) Bond proceedings are separate and apart from removal proceedings. 8 C.F.R. § 1003.19(d). Bond hearing requests and any supporting documents must be uploaded separately under the “My Bonds” screen. Bond requests should not be uploaded within a removal proceeding as a motion or under the “Other” category.

(viii) Proposed orders are not required with any electronic filings, unless requested by the immigration judge.

(ix) Fee receipts may be appended to the end of the relevant application or document when uploading.

(c) Filing Requirements.

(i) Classified Information. Do not electronically file classified information. Classified information must be paper filed with the immigration court.

(ii) Leads and Riders. If a user wishes to file a document in a lead eROP as well as any associated rider eROPs, the user must file the document in each eROP separately.

(iii) Lodging asylum applications. Users wishing to lodge an asylum application must do so in paper with the immigration court.

(iv) Notice of Appearance. Users must file their Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court, Form EOIR-28, through the eFiling application, and **not** through eInfo.

(v) Motions to reopen. Users may file motions to reopen electronically only if there is an electronic filing eligible case to file against. Most cases that predate the pilot launch date will not be eligible for electronic filing. If no such case exists in eInfo, the user should paper file the motion to reopen with the appropriate immigration court.

(d) Signatures.

All electronically filed documents that require a signature must be signed in one of the manners outlined below. Any application that is submitted must further comply with the applicable application's signature instructions.

(i) Representative signatures: Representatives may submit documents with a scanned copy of their handwritten signature, a conformed signature, or an electronic signature. Representatives are not required to provide a signature attestation as all documents submitted under the representative's login are automatically considered attested to by that representative. CONFORMED SIGNATURE EXAMPLE: /S/ John Doe

(ii) Alien signatures: A representative who is electronically filing a document that requires the alien's signature may submit a scanned copy of the document containing the alien's handwritten ink signature. The representative may also use a conformed signature for the alien as long as the representative maintains a copy of the document with the alien's handwritten ink signature. In all cases, the representative **must** bring the document with the alien's handwritten signature on it to their court hearings. CONFORMED SIGNATURE EXAMPLE: /S/ John Doe

If using a conformed signature for the alien, the representative must include a signature attestation with the filing. The signature attestation must be attached to the end of the electronically filed document and is required to state that the representative has the document containing the alien's handwritten signature on-file.

SIGNATURE ATTESTATION EXAMPLE: "I hereby attest that I have on file all original handwritten signatures corresponding to any signatures indicated by a conformed signature (/S/ Name) within this electronically filed document."

(e) Filing process. Users may only file supporting documents in a case, such as applications, briefs, or evidence, after the charging document or bond redetermination request has been filed and accepted by EOIR, and EOIR court staff have created the eROP for the case.

Once the user successfully uploads the document to EOIR, the document enters an intake queue for the court, which acts as a virtual “filing window.” The court reviews the document and either accepts the document into the official eROP, or rejects the document.

(f) Timing of filings. Documents are considered filed with the immigration court upon successful upload. Documents are automatically watermarked and date stamped upon successful upload.

(f) Accepted filings. If the court reviews the document and accepts it, the document is placed in the official eROP. The user will receive an email confirming official acceptance into the eROP.

(g) Rejected filings. If the court reviews the document and rejects it, the user will receive an email with a rejection notice indicating the reason for the rejection. The user must correct the issue and re-file the document. Users are highly encouraged to electronically file their documents as soon as possible, so that any documents that need to be re-filed meet all applicable filing deadlines.

(h) Filing deadlines. All filings must meet applicable filing deadlines. If electronic filing is unavailable, or if the user is having difficulties using the electronic filing application, the user must paper file the document with the court to ensure that all applicable filing deadlines are met.

### **(3) Service of Process**

(a) Service. Parties must serve all documents filed with the immigration court on the opposing party. Electronically filing a document with EOIR does **not** constitute valid service on the opposing party. For questions regarding service procedures, please see Section 3.2 of the Immigration Court Practice Manual.

(b) Certificate of Service. All electronically filed documents must include a certificate of service documenting that the filing was served on the opposing party.

(c) Service from EOIR. For pilot participants, notices, orders, and decisions issued by the immigration court will only be served by email on the parties. Users must provide a valid email address on his or her Notice of Entry of Appearance (Form EOIR-27 or EOIR-28) at which to receive service. The user must immediately file a new EOIR-27 or EOIR-28 if his or her email address changes. A user who provides an invalid email address waives service. Instructions on decrypting EOIR emails is located [here](#).

### **(4) Viewing the eROP**

(a) Access. All representatives with access to eInfo may download and view available eROPs for those cases in which they have submitted a Notice of Entry of Appearance (Form EOIR-27 or

EOIR-28). Representatives do not need to participate in the electronic filing pilot to download and view the eROP.

(b) Download Procedures. To view and download individual documents within an eROP, the user must select the folder icon for the relevant eROP in eInfo. All documents in that eROP will then be displayed for viewing and downloading.

To download the entire eROP as one consolidated, zipped file, the user must select the download button for the relevant eROP in eInfo. The download button will change color from black to red to indicate that an eROP download request has been started. When the eROP is ready for download, the download button will change from red to green.

The eROP will be available within 24 hours of requesting the download and will remain available for 24 hours. Users should check the status of the eROP download regularly. The eROP will consist of one consolidated, zipped file containing all of the files that have been accepted into the official record of proceeding.

(c) Sensitive eROPs. Users will receive a warning if the eROP contains sensitive documents. Users must follow all orders from the immigration court regarding the dissemination of information contained in the sensitive documents or eROP.

(d) Pre-representation eROP Viewing. If a representative wishes to view an eROP for a case in which he or she has not filed a Notice of Entry of Appearance (Form EOIR-27 or EOIR-28), he or she should make a FOIA request with EOIR. Please see Chapter 12 of the Immigration Court Practice Manual for more information.

## **(5) Other Issues**

(a) Change of Venue. If venue in an electronic filing eligible case is changed from a pilot court to a non-pilot court, the user must paper file all documents at the new non-pilot court in accordance with existing paper filing procedures.

(b) Page Separators. When filing paper documents with an ECAS pilot court, parties are encouraged to use paper separators (i.e. a piece of paper with "Tab A" printed on it) instead of indexing tabs. This allows the immigration court to more easily scan the documents into the eROP.