

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
ARLINGTON, VIRGINIA**

STANDING ORDER OF THE IMMIGRATION COURT

This order supersedes the Standing Order effective as of June 10, 2020 and supplements the Policy Memorandum 20-13 “EOIR Practices Related to the COVID-19 Outbreak” accessible [here](#) .

Detained:

Effective July 20th and until rescinded, any attorney for any party may appear telephonically in any *detained* case before the Arlington Immigration Court without prior approval and without filing a motion in advance. Section 4.15(m)(i) of the Immigration Court Practice Manual is waived for the duration of this Standing Order, including any extensions.

Attorneys who request a telephonic appearance for a particular hearing must call the court to ascertain operational status and inform the Court in advance of the hearing. All Counsel shall provide the best telephone number at which counsel can be reached. Landline telephone numbers are preferred in order to minimize noise and disruption. Representatives appearing telephonically must be able to receive the Court's telephone call at the time the case is scheduled to be heard and for three hours thereafter.

Respondents are required to be present in court for the hearing, unless their presence is waived or they are appearing via VTC.

Non-Detained:

Effective July 20th and until rescinded, any attorney for any party may appear telephonically in any non-detained Individual (Merits) hearing before the Arlington Immigration Court without prior approval and without filing a motion in advance. Section 4.15(m)(i) of the Immigration Court Practice Manual is waived for the duration of this Standing Order, including any extensions.

Attorneys who request a telephonic appearance for a particular hearing must call the court to ascertain operational status and inform the Court in advance of the hearing. Both Respondent's and DHS Counsel shall provide the best telephone number at which counsel can be reached. Landline telephone numbers are preferred in order to minimize noise and disruption. Representatives appearing telephonically must be able to receive the Court's telephone call at the time the case is scheduled to be heard and for three hours thereafter. If the Court is unable to reach counsel by telephone for the hearing, counsel will thereafter be required to appear in-person at any rescheduled hearing.

All Respondents that will testify shall appear in person for Individual (Merits) Hearings. In their discretion, an Immigration Judge may, in exceptional circumstances, grant a motion for a Respondent to testify telephonically, but such motions are strongly disfavored. Parties are encouraged to utilize methods that reduce the number of persons appearing for Individual Hearings. This includes filing sworn written statements in lieu of testimony when appropriate.

An attorney appearing telephonically forfeits the chance to offer documents for filing at the hearing. If the other attorney is present and files documents, the attorney appearing telephonically also forfeits the chance to cite his or her inability to review the documents in objecting to their admission into evidence.

Detained & Non-Detained:

All proceedings shall be limited to a maximum of 10 people in the courtroom -- counsel, Respondent(s), witnesses, security officer(s), and any other necessary people, which will be determined by the presiding judge.

Motions to Continue hearings due to COVID-19 concerns should be filed at least 24 hours prior to the scheduled hearing or as soon as possible and, to the extent practicable, be made to the Court by e-filing. Any emergencies related to COVID-19 arising the day of a hearing should be brought to the Court's attention immediately by calling the Court.

Date: July 8, 2020

VANCE
SPATH



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Date: 2020.07.08
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Vance H. Spath

Acting Assistant Chief Immigration Judge