

**UNITED STATES DEPARTMENT OF JUSTICE
UNITED STATES IMMIGRATION COURT AT
BATAVIA, NEW YORK**

**STANDING ORDER OF THE BATAVIA IMMIGRATION COURT
RELATING TO TELEPHONIC APPEARANCES AT INDIVIDUAL AND MASTER
CALENDAR HEARINGS**

Due to the COVID-19 pandemic, the Batavia Immigration Court is implementing the below safety precautions, which shall remain effective until further notice:

IT IS HEREBY ORDERED that parties and their counsel scheduled to appear for an individual or master calendar hearing before the Batavia Immigration Court may appear telephonically, without the need to file a motion for telephonic appearance. This permission is subject to the following caveats:

- 1) Any individual who wishes to appear telephonically does so with the understanding that any paper or electronic filings to be considered by the Court must be in the official record of proceeding at the time the hearing is scheduled to be held. No additional filings will be accepted at the hearing if counsel does not appear in person, and the decision of the Court will be based on the documents in the record at the close of the hearing.
- 2) Any party appearing before the Court telephonically must do so from the office of their legal counsel. Any such party waives the right to object to the admissibility of any document offered in Court on the sole basis that they are unable to examine the document.
- 3) 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.

IT IS FURTHER ORDERED that in-person appearances, shall be subject to the following safety precautions:

- a) In-person appearances in the detained courtroom are limited to the following individuals: Respondent, Respondent's counsel, DHS counsel, Court interpreter, essential EOIR staff and security personnel. See ICPM § 4.9(a) (ii)(citing 8 C.F.R. § 1003.27(b)).
- b) Any party that is displaying symptoms consistent with COVID-19 exposure, has been diagnosed with COVID-19, or has had contact with anyone who has been diagnosed with COVID19 must notify the Court immediately by telephone and will not be allowed to appear in Court.
- c) This order supersedes the prior order of April 23, 2020.

May 12, 2020

Jose A. Sanchez
(Acting) United States Assistant Chief Immigration
Judge Batavia, NY