

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
HOUSTON-S. GESSNER ROAD IMMIGRATION COURT
8701 S. GESSNER ROAD, 10th FLOOR
HOUSTON, TEXAS 77074**

STANDING ORDER NO. 01
(PROTOCOLS GOVERNING PROCEEDINGS DURING THE COVID-19 PANDEMIC)

Given the severity of the current COVID-19 pandemic, the Houston-S. Gessner Rd. Immigration Court will implement the precautionary measures listed below.

Effective immediately and until further notice, it is therefore ORDERED as follows:

1. The Court may allow anyone involved in any hearing or proceeding of any kind to participate remotely, such as by teleconferencing or video teleconferencing, as practicable.
2. Attorneys and accredited representatives may elect to make a remote appearance by telephone without filing a motion in advance of a scheduled hearing by calling the Court's main desk at 713-995-3900 at least one business day in advance of the scheduled hearing and providing the following information:
 - a. The client's alien registration number;
 - b. The name of the presiding judge;
 - c. The date of the hearing; and,
 - d. The number at which the attorney or accredited representative can be contacted.
3. To ensure the quality of the record, anyone appearing by telephone shall be in a quiet, private location. The call may never be placed on hold. The use of car phones, speakerphones or phones in public places is prohibited.
4. If an attorney or accredited representative schedules a telephonic appearance and fails to respond when the matter is called, the Court may treat the failure to respond as a failure to appear by the attorney or accredited representative. Scheduling simultaneous appearances in multiple locations does not excuse a failure to appear.
5. Attorneys and accredited representatives who appear by telephone do so with the understanding that paper or electronic filings must be filed in compliance with all deadlines set by the Court or, if none, in accordance with the filing deadlines set forth in the Immigration Court Practice Manual (ICPM).
6. No filings will be accepted in court on the date of a scheduled hearing unless filed by a *pro se* respondent or applicant. The decision of the presiding judge will be based on documents in the record at the close of the hearing.

7. Filing by mail and electronic means is strongly encouraged. To reduce the threat of contracting or passing the virus, the Court is temporarily accepting motions, pleadings, applications, briefs, notices, and other documents sent by e-mail to HoustonGessner.Immigration.Court@usdoj.gov.

8. Three-Month Temporal Limit on Filings Through Email: A three-month temporal limit will apply to all documents filed through email. The Court will reject documents filed via the temporary e-mail box if filed more than three months before the next hearing date or a court-ordered deadline (“call-up date”), whichever is earlier. Those wishing to file documents more than three months in advance may still do so; however, they must be sent to the Court via the U.S. Postal Service or overnight delivery service, not through the temporary e-mail box.

Hearing Example: If documents are filed via the temporary e-filing mailbox on April 20, 2020, for a hearing scheduled on or before July 19, 2020, they will be accepted, provided they conform with the ICPM and the e-mail filing instructions. However, if documents are filed on April 20, 2020, for a hearing scheduled on or after July 20, 2020, they will be rejected.

Call-Up Date Example: If documents are filed via the temporary e-filing mailbox on April 20, 2020, for a call-up date scheduled on or before July 19, 2020, they will be accepted provided they conform with the ICPM and the e-mail filing instructions. However, if documents are filed on April 20, 2020, for a call-up date scheduled on or after July 20, 2020, they will be rejected.

9. Documents rejected for not complying with the three-month temporal limit on filing may be filed by mail or through an overnight delivery service. Notwithstanding the three-month temporal limit on filings through email, parties are required to comply with all deadlines for filings, as specified in the ICPM, Ch. 3.1(b).

10. **Applications for asylum are exempt from the three-month temporal limit on filings through email and will be considered filed on the date of receipt for purposes of the one-year filing deadline.**

11. Email Format: The subject of each email must contain the nature of the filing, the alien registration number, the date of the next hearing or any court-mandated deadline for the filing, and the initials of the immigration judge assigned to the case.

Example: A filer of a motion to continue with a case with alien registration number 012345678 and a hearing date of 06/30/2020 would enter, "Motion to Continue - 012345678 - 06/30/2020" in the subject line of the email. If the filer knows the hearing is scheduled before Judge William A. Jones, the subject would be, "Motion to Continue - 012345678 - 06/30/2020 – WAJ."

Example: A filer of an application for cancellation of removal with a case with alien registration number 012345678 and a hearing date on 01/02/2021 but a court-mandated

filing deadline (“call-up date”) of 06/25/2020 would enter, "Application for Cancellation of Removal - 012345678 – 06/25/2020" in the subject line of the email. If the filer knows the hearing is scheduled before Judge William A. Jones, the subject would be, "Application for Cancellation of Removal - 012345678 - 06/25/2020 – WAJ."

12. Page Limit: For parties using the Court’s temporary email account to file electronically, supporting documentation/evidentiary filings are limited to fifty (50) pages in a particular case. If a party intends to file more than fifty (50) pages, the party must electronically file the Table of Contents and separately submit the supporting documentation/evidentiary filings with the original Table of Contents by using the U.S. mail or an overnight delivery service no later than the date set for filing the documents with the Court. Hard copy submissions will be deemed filed on the date of receipt by the Court, as specified in the ICPM, Ch. 3.1(a)(iii).
13. The presiding judge reserves the right to halt any remote appearance in progress, to bar any telephone appearances in any case and to order the attorney, accredited representative, respondent, applicant or witness to personally appear.
14. No attorney, accredited representative, respondent, applicant, witness, or member of the public may attend a hearing in person if they have tested positive for COVID-19 in the 14 days prior to the scheduled hearing, have had contact with anyone who has tested positive for COVID-19 in the 14 days prior to the scheduled hearing, have COVID-19 symptoms (fever, cough, shortness of breath), or are under an order to self-quarantine. Parties and counsel shall immediately inform the Court in writing or by calling the main desk at 713-995-3900 if they fall into any of the above-listed categories.
15. Nothing in this Order affects the authority of the presiding judge to exclude persons on a case-by-case basis, including persons exhibiting signs or symptoms of a potentially communicable condition.
16. In-person appearances for scheduled hearings are limited to attorneys, accredited representatives, respondents, applicants, witnesses, Court interpreters, security personnel, and other individuals determined to be essential by the presiding judge.
17. To the extent not already authorized, in all case types, whenever a judge is required to sign an order, judgment, or notification, the judge may electronically sign with a digital signature.

SIGNED, ENTERED, AND ORDERED at Houston, Texas, this 28th day of May, 2020.

Assistant Chief Immigration Judge