

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
NEW YORK BROADWAY IMMIGRATION COURT**

STANDING ORDER REGARDING TELEPHONIC APPEARANCES

Due to the COVID-19 pandemic and in the interest of public health and safety, the New York Broadway Immigration Court hereby issues the following Standing Order Regarding Telephonic Appearances. This order is effective immediately for all scheduled hearings, and shall remain in effect until further order of the Court.

A. MASTER CALENDAR HEARINGS

1. All master calendar hearings for represented respondents will be conducted telephonically without the need for a motion for telephonic appearance to be filed in advance. A respondent is considered represented once counsel or an accredited representative files a Form EOIR-28 with the Court in accordance with 8 C.F.R. § 1292.4(a).
2. The Court hereby waives the presence of all represented respondents for master calendar hearings in accordance with 8 C.F.R. § 1003.25(a).
3. Counsel or accredited representatives for respondents are strongly encouraged to file written pleadings at least fifteen (15) calendar days in advance of the telephonic master calendar hearing. For an example of acceptable written pleadings, see the Immigration Court Practice Manual, Appendix L (April 10, 2020) at <https://www.justice.gov/eoir/page/file/1258536/download>.
4. Unless otherwise ordered by the individual Immigration Judge, all filings, including but not limited to applications, pretrial motions, briefs, and supplemental documents, must be filed at least fifteen (15) calendar days in advance of the telephonic master calendar hearing. The Court will not accept any filings on the date of the telephonic master calendar hearing. The parties are strongly encouraged to submit filings by way of U.S. mail, overnight delivery service, or e-mail to NYBroadway.Immigration.Court@USDOJ.GOV (email filings at this address will no longer be accepted 60 days after the court has resumed hearing non-detained cases).

B. MERITS HEARINGS

1. The Immigration Judge, in his or her discretion, and upon consent of the respondent, may conduct a telephonic merits hearing in accordance with 8 C.F.R. § 1003.25(c). For any merits hearing, a timely motion for telephonic appearance is required in advance of the hearing and must include a sworn

affidavit or declaration from the respondent indicating that he or she has been advised of the right to proceed in person and waives that right. *See* 8 C.F.R. § 1003.25(c).

2. Parties are encouraged to resolve cases through written pleadings, stipulations, and joint motions. Such actions may resolve some types of cases without a hearing. Joint or stipulated requests for the disposition of a pending case—e.g. requests for a stipulated order of removal, a stipulated order of voluntary departure, or a stipulated order granting protection or relief from removal or joint motions to terminate or dismiss proceedings—are encouraged, and will be adjudicated expeditiously by the Immigration Judge.
3. If eligibility for relief is contested, the parties may jointly agree to request that the Court conduct an abbreviated hearing and issue a decision based solely on the sworn application(s) and documentary evidence, consistent with *Matter of Fefe*, 20 I & N Dec. 116 (BIA 1989). If the parties reach such an agreement, they are encouraged to file a Joint or Unopposed Motion to Adjudicate Application Without Testimony, in advance of any hearing. Such motion must include all required stipulations. If no such agreement is reached in advance of the hearing, the parties may make an oral motion at the outset of the hearing.
4. Unless otherwise ordered by the individual Immigration Judge, all filings, including but not limited to applications, pretrial motions, briefs, and supplemental documents, must be filed at least thirty (30) calendar days in advance of the telephonic merits hearing. The parties are strongly encouraged to submit filings by way of U.S. mail, overnight delivery service, or e-mail to NYBroadway.Immigration.Court@USDOJ.GOV (email filings at this address will no longer be accepted 60 days after the court has resumed hearing non-detained cases). No filings, other than rebuttal or impeachment evidence, will be accepted in Court on the date of the telephonic merits hearing. *See* Immigration Court Practice Manual, Chap. 3.1(b)(ii)(A).
5. Unless otherwise ordered by the individual Immigration Judge, the respondent must file any changes, corrections or amendments to all pending applications and/or to his or her declaration(s) at least thirty (30) calendar days in advance of the telephonic merits hearing. The respondent is strongly encouraged to submit such filings by way of U.S. mail, overnight delivery service, or e-mail to NYBroadway.Immigration.Court@USDOJ.GOV (email filings at this address will no longer be accepted 60 days after the court has resumed hearing non-detained cases).

C. GENERAL PROVISIONS

1. To ensure the quality of the record, the parties appearing telephonically are strongly encouraged to be available by landline telephone in a quiet private location. Failure to respond when the case is called may result in the conclusion

that counsel has failed to appear.

2. All parties appearing telephonically before the Court must further comply with the attached instructions for making telephonic appearances. *See* Appendix A.

An Immigration Judge may, in his or her discretion, halt any telephonic hearing, and the parties may be required to attend a future in-person hearing on a date to be determined. Further, nothing in this Standing Order should be interpreted to supplant an Immigration Judge's authority to manage his or her cases.

IT IS SO ORDERED.

DATE: June 22, 2020

Khalilah Taylor

Khalilah Taylor
Assistant Chief Immigration Judge

APPENDIX A

Instructions for Telephonic Appearances before the New York Broadway Immigration Court

Making Your Telephonic Appearance

- You must call into the hearing at least 15 minutes before the hearing time.
- In order to access the OpenVoice telephonic system, dial **1-888-585-9008**.
- After dialing the main number, you will be prompted to enter the conference room number. To determine the appropriate conference room number, please refer to the table below:

| JUDGE | CONFERENCE ROOM NUMBER |
|-------------------------|---------------------------|
| Taylor, Khalilah (ACIJ) | 290-405-554 |
| Calvelli, Andrew | TBD* |
| Christensen, Jesse | 598-601-043 |
| Chung, Jennifer | 582-443-280 |
| Dodd, Diane | 153-435-304 |
| Gundlach, Robert | TBD* |
| Krasinski, Carolyn | TBD* |
| Laforest, Brigitte | 711-321-536 |
| McCarthy, James | 207-953-762 |
| Navarro, Maria | 904-696-763 |
| Poczter, Aviva | 607-843-272 |

- A security code will be provided by the Court to the attorney of record or accredited representative in advance of the hearing. All attorneys and accredited representatives must ensure their contact information with the court is updated and accurate.
- After entering the security code, you will be joined into the telephonic hearing and you will be asked to state your name. Please state your full name as it appears on your E-28 and the last three digits of the respondent's A# for whom you are telephonically appearing.
- After check-in, **please mute your phone** and wait until your case is

* The Court will issue an amended standing order when this information becomes available.

called.

- To mute and unmute your participant line, use the mute feature on your phone or please press *2.
- Once you enter the hearing, do not place the call on hold as it will be disruptive to the hearings.
- If Court has commenced once you enter the hearing, do not interrupt. Your name will be announced upon entering the hearing and late appearances will be disruptive to hearings already commenced.
- Once your matter is concluded, please disconnect from the line.