

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OAKDALE IMMIGRATION COURT
OAKDALE, LOUISIANA**

**STANDING ORDER OF THE OAKDALE IMMIGRATION COURT RELATING TO
PROCEDURES FOR MASTER CALENDAR HEARINGS, BOND HEARINGS AND
MERITS HEARINGS DUE TO COVID-19**

Effective immediately and until further notice, the Oakdale Immigration Court will impose certain procedures for Master Calendar Hearings and Individual (Merits) Hearings. This Order sets out the specific procedures and instructions:

IT IS ORDERED that:

1. MASTER CALENDAR HEARINGS

- a) Any attorney for any party may appear telephonically (for Respondent) or via video teleconference (for DHS) for Master Calendar Hearings and Bond Hearings before the Oakdale Immigration Court without prior approval and without filing a motion in advance. The Court will call counsel at the phone number located on their EOIR-28. Counsel must ensure that the number on their EOIR-28 is the appropriate number where they can be reached for a telephonic hearing. This section does not apply to attorneys whose telephonic hearing privileges have been previously revoked by an Oakdale Immigration Judge. Counsel whose telephonic privileges have been revoked will need to appear in person for Master Calendar Hearings and Bond Hearings.
- b) Any attorney who wishes to appear for a Master Calendar Hearing or Bond Hearing telephonically (for respondent) or via video teleconference (for DHS) 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 in accordance with any deadlines set by the Court or, if none, in accordance with the filing deadlines set forth in the Immigration Court Practice Manual. 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 and no exceptions will be made.
- c) Any attorney appearing telephonically or via video teleconference waives the right to object to admissibility of any document offered in Court on the sole basis that they are unable to examine the document.
- d) If the Court is unable to reach counsel by telephone or video teleconference for the hearing due to counsel's unavailability, then counsel will thereafter be required to appear in-person at any rescheduled hearing. To ensure the quality of the record, anyone appearing by telephone or video teleconference shall be in a quiet, private location. With respect to telephonic hearings, the call may never be placed on hold. The use of car phones, speakerphones or phones in a public places is prohibited.

2. MERITS HEARINGS

- a) Respondent's Appearance: To the greatest extent possible, Respondents will appear via VTC.
- b) Attorney's Appearance: Respondent's counsel and DHS counsel shall appear in person for Merits Hearings. Counsel that represent Respondents located at the Winn Correctional Center shall continue to appear at the Winn Correctional Center with the respondent.
- c) Witnesses: Parties are encouraged to submit affidavits or written statements for witnesses. In person testimony for these individuals will not be permitted at this time and their presence will not be authorized in the courtroom. Telephonic testimony by all witnesses is hereby granted without need of a motion.
- d) Social Distancing: The Court will require all parties to practice social distancing in the courtroom. There will be designated seats for each individual that appears and only a limited number of people will be allowed in the courtroom. In-person appearances in the courtroom shall be limited to the following individuals: respondents (only when VTC is not available), attorneys, interpreters, and other individuals determined to be essential by the Immigration Judge.
- e) Extraordinary Circumstances: If Respondent's counsel or DHS counsel believes that counsel has an extraordinary circumstance, then counsel may file a motion to request a telephonic hearing. Evidence must be attached to the motion to demonstrate the attorney's specific extraordinary circumstance. The Immigration Judge will make a decision based on the merits of each specific motion.
- f) If the Immigration Judge determines that an extraordinary circumstance exists that warrants a telephonic Merits Hearing, then the following will apply:
 - Any attorney appearing telephonically or via video teleconference 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 in accordance with any deadlines set by the Court or, if none, in accordance with the filing deadlines set forth in the Immigration Court Practice Manual. 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. No exceptions will be made.
 - Any attorney appearing telephonically or via video teleconference must file any relevant original documents/evidence with the Court by the deadline set by the Immigration Judge.

- Any attorney appearing telephonically or via video teleconference waives the right to object to admissibility of any document offered in court on the sole basis that they are unable to examine the document.
- If the Court is unable to reach counsel by telephone or video teleconference for the hearing due to counsel's unavailability, then counsel will thereafter be required to appear in-person at any rescheduled hearing. To ensure the quality of the record, anyone appearing by telephone or video teleconference shall be in a quiet, private location. With respect to telephonic hearings, the call may never be placed on hold. The use of car phones, speakerphones or phones in a public places is prohibited.

3. INDIVIDUALS WITH COVID-19 SYMPTOMS OR POSITIVE COVID-19 TEST

Under no circumstances shall any individual experiencing symptoms consistent with COVID-19 infection enter the Court, including but not limited to the lobby, filing window, and courtrooms. This same restriction applies to any individuals who have tested positive for COVID-19, unless they have been affirmatively advised by an appropriate medical professional that they are no longer contagious. If any individual described in this section is unable to attend an upcoming hearing at which his or her presence is required, then that person shall promptly file a motion to continue with the Court. In case of an emergency, the individual may call the Court's main number (318-335-0365) to provide notification of the illness, but must follow up thereafter by filing a motion to continue with the Court.

Joy Lampley-Fortson
Assistant Chief Immigration Judge
New Orleans, Louisiana