

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

**INTERIM STANDING ORDER OF THE NEW ORLEANS IMMIGRATION COURT
RELATING TO MASTER CALENDAR HEARINGS AND MERITS HEARINGS
DUE TO COVID-19**

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

IT IS ORDERED that:

1. MASTER CALENDAR HEARINGS

Master Calendar Hearings are postponed until further notice. Parties are encouraged to check the Executive Office for Immigration Review (EOIR) website periodically for operational status updates.

2. MERITS HEARINGS

- a) Respondent's Appearance: All Respondents that will testify shall appear in person for Individual (Merits) Hearings. The presence of all other Respondents are hereby waived and they are encouraged not to appear. 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.
- b) Attorney's Appearance: Any attorney who would like to request to appear telephonically for an Individual (Merits) Hearing must file a motion for telephonic hearing demonstrating good cause. See 8 C.F.R. §1003.25(c). Respondent's counsel will be called on the phone number located on their EOIR-28. DHS counsel must provide a telephone number in the motion where counsel may be reached for the hearing. Counsel must ensure that the appropriate number where they can be reached for a telephonic hearing is provided.
- c) 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, attorneys, interpreters, and other individuals determined to be essential by the Immigration Judge.
- d) Witnesses: Parties are encouraged to submit affidavits or written statements for non-Respondent 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 non-Respondent witnesses is hereby granted without need of a motion.

- e) Any attorney who requests to appear telephonically for an Individual (Merits) Hearing 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 unless the Immigration Judge allows such filing as a matter of discretion. Otherwise, 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.
- f) Any attorney appearing telephonically 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.
- g) If the Court is unable to reach counsel by telephone for the Individual (Merits) Hearing, counsel will thereafter be required to appear in-person at any rescheduled hearing. 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, speaker phones or phones in 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. Please see the COVID-19 symptoms on the CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html>. 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 notify the Court in writing and file it with the Court via mail. In case of an emergency, the individual may call the Court's main number (504-589-3992) to provide notification of the illness, but must follow up thereafter by filing a written notification with the Court.

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