

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
DENVER IMMIGRATION COURT**

**STANDING ORDER NO. DEN 20-01**

**TELEPHONIC APPEARANCES FOR REPRESENT  
RESPONDENTS DURING THE COVID-19 PANDEMIC**

Due to the COVID-19 pandemic and in the interest of public health and safety, the Denver Immigration Court hereby issues the following standing Order regarding telephonic appearances. The following Order regarding telephonic appearances is effective immediately for all scheduled hearings and shall remain in effect until further Order of the Court.

**A. PLEADINGS, APPLICATIONS FOR RELIEF, AND 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 by either party in advance. *See* Appendix A. 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). If counsel or respondent wish to appear in person, they must file a motion to notify the court in advance of the hearing.
2. In lieu of a master calendar hearing, the Immigration Judge may issue a scheduling order for represented respondents ordering the filing of written pleadings, applications for relief, and other required documents, evidence, and briefs. If the Immigration Judge issues a scheduling order in lieu of scheduling a master calendar hearing, the parties must abide by those scheduling deadlines.
3. The Court hereby waives the presence of all represented respondents for master hearings in accordance with 8 C.F.R. § 1003.25(a).
4. For any master hearings on the Court's juvenile docket, the Court waives the presence of any respondent who is in the care and custody of the Office of Refugee Resettlement (ORR) or who has been approved for participation in the Unaccompanied Refugee Minor (URM) program.
5. Unless otherwise ordered by the 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 hearing. The Court will not accept any filings on the date of the telephonic master hearing. The parties are strongly encouraged to submit filings by way of U.S. mail, overnight delivery service, or e-mail, until the e-mail filing mailbox is deactivated.

## **B. TELEPHONIC MERITS HEARINGS**

1. During the validity of this Standing Order, all attorneys and accredited representatives, including DHS counsel, are permitted to appear telephonically in all matters before the Denver Immigration Court without the need for a written motion. Attorneys or accredited representatives wishing to appear telephonically must use the procedures outlined in Appendix A.
2. If a represented respondent wishes to appear telephonically at their merits hearing, the individual Immigration Judge, in his or her discretion, and upon consent of the respondent, may conduct a telephonic merits hearing in accordance with 8C.F.R. § 1003.25(c). *See* Appendix A. For any merits hearing, a timely motion for telephonic appearance by a represented respondent 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 or via VTC and waives that right. *See* 8 C.F.R. § 1003.25(c).
3. 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 merits hearing. The parties are strongly encouraged to submit filings by way of U.S. mail, overnight delivery service, or e-mail, until the e-mail filing mailbox is deactivated. Absent good cause, 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). All rebuttal or impeachment evidence, in addition to evidence filed late for good cause, must be available in an electronic format.
4. Unless otherwise ordered by the individual Immigration Judge, the respondent must file any changes, corrections, or amendments to any pending application(s) and/or to his or her declaration(s) at least fifteen (15) calendar days in advance of the merits hearing. The respondent is strongly encouraged to submit such filings by way of U.S. mail, overnight delivery service, or e-mail or until the e-mail filing mailbox is deactivated.
5. In-person appearances for scheduled hearings are limited to attorneys, accredited representatives, respondents, applicants, witnesses, and other individuals determined to be essential by the presiding judge. The number of people in a courtroom is limited to ten (10) individuals at any time, including the Immigration Judge, interpreter, Respondent(s), Respondent's counsel, and DHS counsel. 8 C.F.R. § 1003.27(a)-(b). All proposed witnesses, including the Respondent, must provide sworn statements submitted in accordance with any set pre-hearing filing deadline.
  - a. If a party wishes to examine or cross-examine a witness (other than a Respondent), that party must file a Motion to Allow Witness Testimony at least fifteen days ahead of the scheduled merits hearing. Such a Motion must provide a reason as to why such testimony should be allowed in addition to the written testimony required from all witnesses. The Motion to Allow Witness Testimony must also include information allowing for a telephonic appearance of the witness; in-court testimony will be allowed only upon a showing as to why written and/or telephonic testimony would not suffice. No witnesses will be allowed to appear in court other than with advance written approval by the Court of a motion allowing for such testimony.

### **C. GENERAL PROVISIONS**

1. Failure to respond when the case is called may result in the conclusion that counsel has failed to appear. Scheduling simultaneous appearances in multiple locations does not excuse a failure to appear.
2. All parties appearing telephonically before the Court must further comply with the attached instructions for making telephonic appearances. *See* Appendix A.
3. 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. 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.
4. Nothing in this Standing Order should be interpreted to supplant an Immigration Judge's authority to manage his or her cases or issue individual orders in a specific case.

**IT IS SO ORDERED.**

MATTHEW  
KAUFMAN

Digitally signed by  
MATTHEW KAUFMAN  
Date: 2020.09.11  
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**Matthew Kaufman**  
**Assistant Chief Immigration Judge**

## Appendix A

### Instructions for Telephonic Appearances before the Denver 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 for the Immigration Judge you are telephonically appearing before, please refer to the table below.
- When prompted, please enter the security code. The 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 called. Your case will be called in the order in which the Court deems appropriate.
- 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.

<b>Judge</b>	<b>Room Number</b>
Burgie, Brea	217-979-423
Calcador, Kerri	920-446-237
Corrin, Melanie	166-245-454
Gardzelewski, Ivan	482-596-702
Kane, Alison	261-615-338
Kaufman, Matthew	523-944-320
O'Hare, Donald	535-856-712
Trujillo, Eileen	958-845-415