

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
PHOENIX, ARIZONA**

**PHO 20-03: PHOENIX IMMIGRATION COURT STANDING ORDER RELATING TO
TELEPHONIC APPEARANCES FOR NON-DETAINED HEARINGS
AND WAIVERS OF HEARING**

Due to ongoing concerns related to the COVID-19 pandemic, the Phoenix Immigration Court is issuing this Standing Order to address telephonic appearances for both merits and master calendar hearings. This Standing Order is effective upon reopening for all scheduled *non-detained* hearings¹ and shall remain in effect until any further orders are issued by this Court.

I. Merits/Individual Hearings

1. The individual 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, or by video-teleconference, and waives that right. *See* 8 C.F.R. § 1003.25(c).

2. Unless otherwise ordered by the individual Immigration Judge, all filings, including but not limited to applications, amendments 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 U.S. mail, overnight delivery service, or e-mail filing, as long as the email box remains activated. 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.

3. 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 Department of Homeland Security 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.

II. 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

¹ This Standing Order does not apply to the detained juvenile docket at the Phoenix Immigration Court.

considered represented after counsel or an accredited representative files a Form EOIR-28 with the Court in accordance with 8 C.F.R. § 1292.4(a). The Court hereby waives the presence of all represented respondents for master hearings in accordance with 8 C.F.R. § 1003.25(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. 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 U.S. mail, overnight delivery service, or e-mail filing, as long as the email box remains activated.

III. “Open Voice” Phone Conference Call Information

1. All parties approved to appear telephonically before the Court must further comply with these instructions for making telephonic appearances.

- Dial **1-888-585-9008** to access the “Open Voice” Conference Call system.
- When prompted, please enter the specific conference “room number” for the judge’s courtroom you are calling (numbers listed below), followed by the # sign.
- 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.
- When asked, please state your name and the last three digits of the respondent’s A# for whom you are telephonically appearing.
- Please remember to *mute your phone* and until your case is called.
- Once you enter the conference call system, please do not place the call on hold.
- Once your case is concluded, please disconnect from the line.

Open Voice Conference Call “Room Numbers”:

<u>Judge</u>	<u>Conference Room Number</u>
IJ Robert Bartlemay	980-663-268
IJ Elizabeth Cottor	931-064-707
IJ LaMonte Freerks	261-819-167
ACIJ Amy Hoogasian	778-393-535
IJ Joseph Imburgia	327-278-849
IJ Melissa Karlen	120-067-308
IJ Munish Sharda	245-312-076
IJ Linda Spencer-Walters	788-653-208

IV. Resolving Cases Without a Hearing or Through Short Matter Calendar

If either party believes that any matter may be appropriately resolved, either without a hearing or on a short matter calendar (less than one hour), then the party shall confer with the opposing party. If an agreement is reached between the parties where a hearing is unnecessary or for a short appearance with the judge, then either party may file notice with the Court setting forth the agreement between the parties or the circumstances of the parties' agreement for a short matter hearing. The Court will then review the record and take action as appropriate.

Notwithstanding this Order, Immigration Judges maintain their authority to manage their respective caseload and issue individual orders in a specific case. Nothing in this Standing Order should be interpreted to supersede an Immigration Judge's authority to do so.

IT IS HEREBY ORDERED.

September 18, 2020

Amy C. Hoogasian
Assistant Chief Immigration Judge
Phoenix, Arizona