

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
LOS ANGELES (NORTH), CALIFORNIA**

**NLA 20-02:  
STANDING ORDER: ESTABLISHING SAFE PROCEDURES  
DURING THE COVID-19 NATIONAL EMERGENCY**

This Order establishes filing requirements and courtroom procedures pursuant to Immigration and Nationality Act (INA) §240(b)(1)-(2) and 8 C.F.R. § 1003.10(b), 1003.21(b), 1003.25, 1003.31(c), 1003.40.

This Order is effective immediately and shall remain effective until it is rescinded by a superseding order of the Los Angeles (North) Immigration Court.

**IT IS HEREBY ORDERED** that, effective immediately and continuing until further order of the Court:

I. Appearances Before the Court

- A. No attorney, interpreter, witness, or member of the public who is subject to the restrictions articulated in Policy Memorandum 20-13, *EOIR Practices Related to the COVID-19 Outbreak* (June 11, 2020) (as amended), is subject to an isolation or quarantine order from a government health official or a medical provider, or has had physical contact with anyone within the past fourteen (14) days who was diagnosed with COVID-19 may appear in the Los Angeles (North) Immigration Court because the public interest requires that removal proceedings be closed to individuals likely to spread COVID-19. If an individual fails to comply with these reasonable limitations, the Court shall comply with guidance from federal, state, and county health authorities and continue the hearing.
- B. Any attorney or qualified representative for any party may appear telephonically in master calendar cases before the Los Angeles (North) Immigration Court, without prior approval and without filing a motion in advance. Attorneys or qualified representatives who would like to appear telephonically, either with or without respondent(s), for a particular master calendar case should contact the Los Angeles (North) Immigration Court, at 213-576-4701 at least two (2) business days in advance of the hearing and should provide: the A-number, the time and date of the scheduled hearing, and the best phone number to be reached for the hearing.
- C. Any attorney or qualified representative for any party may appear telephonically at evidentiary/individual hearings before the Los Angeles (North) Immigration Court after filing a written motion for such appearance. Attorneys and qualified representatives for respondents must include in their motions this information: (1) a statement that the respondent was advised of his or her right to appear in person

or by video conference; and, (2) the respondent consents to a telephonic hearing. Credible fear determinations may be reviewed by the Immigration Judge through a telephone conference without the consent of the alien. Attorneys or qualified representatives who would like to appear telephonically should either (1) include their contact information in their motions; or, (2) should contact the Los Angeles (North) Immigration Court, at 213-576-4701 at least two (2) business days in advance of the hearing and provide: the A-number, the time and date of the scheduled hearing, and the best phone number to be reached for the hearing.

- D. All parties appearing telephonically before the Court must further comply with the attached instructions for making telephonic appearances. *See* Appendix A.
- E. An Immigration Judge may, in his or her discretion, halt any video conference or 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.
- F. Any individual who wishes to appear telephonically 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 good cause is shown if counsel or the qualified representative 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. Rebuttal or impeachment evidence, however, will be accepted on the day of the hearing where the parties appear telephonically. Such rebuttal or impeachment evidence shall be made available to the Court and the parties electronically on the day of the hearing.
- G. Any proceedings conducted in-person shall be limited to representatives who have filed a notice of appearance (Form EOIR-28), parties, witnesses, security officers, and any other necessary people, which will be determined by the presiding Immigration Judge, so long as no more than six (6) people are present in the courtroom. The court strongly encourages witnesses, family, and community members to provide telephonic testimony or submit letters or written declarations in lieu of appearing at hearings.

## II. Filing of Applications, Briefs, Motions, and Evidence

- A. The filing of documents and evidence by U.S. Postal Service first class mail is strongly preferred and highly recommended.
- B. Motions to continue cases due to COVID-19 concerns should be filed with as much notice as possible, but may, on an *emergency* basis, be made to the Los Angeles (North) Immigration Court, by email at:

- C. Opposing counsel must be served with any and all filings made with the Court, whether by email, the U.S. Postal Service, or overnight delivery service.
- D. Three-Month Temporal Limit on Filings through Email: Other than *emergency* filings, the Court is imposing a three-month temporal filing limit on documents filed through email. Effective immediately, the Court will reject documents filed via the temporary email boxes if filed more than three months before the next hearing date or a court-ordered deadline (“call-up date”), whichever is earlier. Those wishing to file documents more than three months in advance may still do so; however, they must be sent to the court via the U.S. Postal Service or an overnight delivery service, not through the temporary email box.
- E. **Applications for asylum (Form I-589) are exempt from the three-month temporal limit on filings through email, and will be considered filed on the date of receipt for purposes of the one-year filing deadline.**
- F. The subject of the email must contain the nature of the filing, the alien registration number, the date of the next hearing or any court-mandated deadline for the filing, and the initials of the Immigration Judge assigned to the case.

Example: A filer of a motion to continue with a case with alien registration number A012345678 and a hearing date of 06/30/2020 would input, “Motion to Continue - A012345678 - 06/30/2020” in the subject line of the email. If the filer knows the hearing is scheduled before Judge William A. Jones, the subject would be, “Motion to Continue - A012345678 - 06/30/2020 – WAJ”

- G. Effective immediately, for parties using the temporary email account to electronically file, supporting documentation/evidentiary filings are limited to fifty (50) pages in a particular case. If a party intends to file more than fifty (50) pages, the party must electronically file the Table of Contents and separately submit the supporting documentation/evidentiary filings with the original Table of Contents by using the U.S. mail or an overnight delivery service no later than the date set for filing the documents with the Immigration Court.

### III. Motion to adjudicate applications without an evidentiary hearing

- A. Either party may file a *Joint or Unopposed Motion to Adjudicate Applications Without Evidentiary Hearing* with the Court. The Motion must be filed prior to any filing deadlines established by the Court to request that a written decision on the merits be issued based solely on the applications, declarations, and other evidence contained in the record of proceeding. The Motion must include at a minimum:
  - a. A sworn affidavit or declaration from the respondent indicating:

- 1) that the respondent has been advised of the right to proceed in person or by video conference and waives that right;
  - 2) that any application or request for relief on which the respondent is proceeding and/or affidavit or supporting declaration has been read to the respondent in a language he or she speaks and understands;
  - 3) that any application or request for relief and all documentary evidence is true, correct and complete to the best of the respondent's knowledge; and,
  - 4) that any other pending relief applications are withdrawn or to be held in abeyance. *See* 8 C.F.R. § 1003.25(c).
- b. A statement from the parties regarding their respective positions on appeal;
- c. A statement from DHS counsel regarding the status of requisite identity, law enforcement, or security investigations or examinations, and, if completed, the applicable expiration date in accordance with 8 C.F.R. § 1003.47(a)
- B. If the respondent has sworn to the contents of the application(s) under oath before an Immigration Judge, the court will issue a written decision, in appropriate circumstances, as soon as practicable. The Immigration Judge will automatically reserve the right to appeal to the Board of Immigration Appeals on behalf of both parties.
- C. The Court reserves the discretion to deny a *Joint or Unopposed Motion to Adjudicate Applications Without Evidentiary Hearing* if it deems it necessary to examine the respondent or other witnesses, or for any other reason.

This order supersedes all prior Standing Orders of the Los Angeles (North) Immigration Court.

**IT IS SO ORDERED.**

**Dated: September 30, 2020**

**JEFFREY MILLER** Digitally signed by JEFFREY MILLER  
Date: 2020.09.30 14:32:45 -07'00'  
**JEFFREY S. MILLER**  
**ASSISTANT CHIEF IMMIGRATION JUDGE**

## Appendix A

### **Instructions for Telephonic Appearances before the North Los Angeles 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:

JUDGE	NUMBER
Aina, Nathan N.	992-530-905
Hsu, Lily C.	909-857-006
Left, James M.	313-143-995
Miller, Jeffrey S.	978-788-135
Piepmeier, Kristin	986-996-801
Travieso, Frank M.	980-757-078

- 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.