

WORD INDEX

A separate Citation Index – containing cases, statutes, and regulations – follows this Index.

A

A numbers. 13, 46, 50, Glossary
accredited officials. see foreign government officials
accredited representatives
 accreditation. 2, 25
 attorneys, same rules as. 26
 BIA, accredited by. 2, 25
 definition. 25, Glossary
 discipline. see discipline
 entry of appearance. see entry of appearance
 filing. see filing
 immigration specialists, compared to. 25
 list of. 26
 qualifying organizations. 25
 qualifying representatives. 25
 removal from list of. 26
 signatures. see signatures
 verification. 26
ACIJJs. see Assistant Chief Immigration Judges
address obligations
 aliens. 17, 22, 66, 70, 76, 90, 93, 94, 97
 aliens, detained. 18, 121
 attorneys. 21
 compound changes of address. 21
 consolidated cases. 21
 Form EOIR-33/IC. 17, 143
 motions generally. 18
 motions to reconsider. 93
 motions to reopen. 90
 motions to reopen in absentia orders. 94
 representatives. 21
addresses. see EOIR, Immigration Courts
adjudicating officials. see discipline
administrative closure. see motions
Administrative Control Courts. see Immigration Courts
Administrative Law Judges. see discipline
adverse legal authority,
 failure to disclose. see discipline
advisory opinions. 48
AEDPA. Glossary
affirmative asylum applications. see asylum
affidavits
 English language, in. 41
 penalty of perjury, under. 87, Glossary
 translations of. 41

agreement in lieu of discipline. see discipline
alien. Glossary
appeals
 asylum-only proceedings. see asylum-only
 BIA jurisdiction. 2, 9, 101, 102
 bond proceedings. see bond proceedings
 certification, distinct from. 77, 102
 continued detention see continued detention
 deadlines. 34, 101
 deportation. see deportation proceedings
 disciplinary proceedings. see discipline
 exclusion. see exclusion proceedings
 forms, use of required. 143
 how to appeal. 101
 motions, relationship to. see motions
 Notice of Appeal. 101
 rescission. see rescission proceedings
 right to appeal. 77
 stays. see stays
 waiver of appeal. 77, 102
 who may appeal. 101
 withholding-only see withholding-only
appearances “on behalf of”. see representation
Assistant Chief Immigration Judges (ACIJJs). 4, 5
asylum
 affirmative applications. 34, Glossary
 asylum clock. 71, Glossary
 asylum-only proceedings. see asylum-only
 benefits and responsibilities. 78
 changed circumstances. 91
 defensive applications. 34, 45, Glossary
 Department of State, reviewed by. 45
 employment authorization. 71
 frivolous applications. 70
 hearings, closed. 60
 number of copies 45
 withholding-only see withholding-only
asylum clock. see asylum
Asylum Office. see Department of Homeland Security
asylum-only proceedings
 appeals. 117
 conduct of proceedings. 117
 cooperating witnesses. 110, 116
 crewmembers. 110, 116
 D visa applicants. 110, 116

asylum-only proceedings (cont.)
detention. 110, 124
generally. 116, Glossary
S visa applicants. 110, 116
scope. 117
security grounds, removable under. 110, 117
stowaways. 110, 116
visa waiver applicants. 110, 116
visa waiver overstay. 110, 116
attendance at hearings. see removal proceedings
attire. see Immigration Courts
Attorney General. 9
attorneys (see also representation, discipline)
absence at hearing. 59
adverse legal authority, failure to disclose
. see discipline
appearances "on behalf of". see representation
attire. see Immigration Courts
attorney of record. Glossary
bar information. 19
boilerplate submissions, repeatedly filing
. see discipline
bribery. see discipline
change of address. see address obligations
client's decisions, failure to abide by. see discipline
communication with client, failure to maintain
. see discipline
competent representation, failure to provide
. see discipline
complaints. see discipline
contempt. see discipline
disbarment. see discipline
discipline. see discipline
entry of appearance. see entry of appearance
false certification. see discipline
false evidence. see discipline
false statements. see discipline
Form EOIR-28, failure to file. see discipline
free legal services. see representation
frivolous behavior. see discipline
grossly excessive fees. see discipline
hearings, failure to attend. see discipline
improperly soliciting clients. see discipline
ineffective assistance of counsel. see discipline
law firms. 20, 21, 42
limited appearances. see representation
misrepresentations. see discipline
multiple representatives. see representation
notice attorney. see representation
primary attorney. see representation
pro bono. see pro bono representation
qualifications. 18
reasonable diligence and promptness,
failure to act with. see discipline
references to. 57
release of counsel. see representation
resignation from bar. see discipline

attorneys (cont.)
right to representation. see representation
sanctions. see discipline
serious crimes. see discipline
substitution of counsel. see representation
suspension from bar. see discipline
telephonic appearances. see master calendar
unauthorized practice of law. see discipline
waivers of appearances. see waivers
withdrawal of counsel. see representation
Automated Status Query (ASQ) system. 12, App. I
automatic stays. see stays

B

background and security investigations. see DHS
beneficiary. Glossary
biometrics instructions. see DHS
Board of Immigration Appeals (BIA)
appeals to. see appeals
disciplinary authority. see discipline
filing with. 86
generally. Glossary
Immigration Courts, relationship to. 2, 9
jurisdiction. 2, 9
Practice Manual. 2, 61, 86, 101-103, 119, 127, 136
boilerplate submissions, repeatedly filing. see discipline
bond proceedings
appeals. 127
deadlines. 126
decision. 127
definition of "bond". Glossary
evidence. 126
hearings. 124-126
jurisdiction. 123, 124
mootness. 123
recorded, generally not. 126
removal proceedings, compared to. 127
representation. 126
testimony. 127
witnesses. 127
bribery. see discipline
briefs. see pre-hearing briefs

C

CAT. Glossary
CBP. Glossary
cellular telephones. see electronic devices
Certificate of Service. see service
certification. 77, 102, 119
certified translations. see documents
CFR. Glossary, Citation Index
change of venue. see motions
charging document. Glossary
Chief Immigration Judge (CIJ). 4
citation. App. J

claimed status review
 hearing. 115
 expedited removal. 109, 114
 detention. 110, 124
 generally. 114, Glossary
 location. 115
 no appeal. 116
 representation. 115
 timing. 114
client's decisions, failure to abide by. . . . see discipline
closing statements. see removal proceedings
Code of Federal Regulations. Glossary
coercion. see discipline
communication with client,
 failure to maintain. see discipline
competent representation,
 failure to provide. see discipline
complaints. see discipline
conferences. see pre-hearing conferences
conformed copies. see documents
consolidated cases
 address obligations. see address obligations
 fees. 53
 pre-hearing briefs. see pre-hearing briefs
 requests. 83
 standards. 83
 filing. 45
contempt of court. see discipline
continued detention review
 appeals. 129, 130
 DHS determination. 127
 merits hearing. 129, 130
 periodic review. 130
 reasonable cause hearing. 128
 representation. 128, 129
Convention Against Torture (CAT). Glossary
cooperating witnesses. see asylum-only proceedings
copies. see photocopies
country of removal. see removal proceedings
Country Reports. see Department of State
courier services
 delays in delivery. 32, 36
 encouraged. 32
 mailbox rule not observed. 31
 service by. see service
Court Administrators. 4, 13, 61
Court Analysis Unit. 4
Court Evaluation Team. 4
cover page. see documents
credible fear proceedings
 stowaways. 110-112
 expedited removal. 109-112
 detention. 110, 124
 generally. 110, Glossary
 location. 111
 no appeal. 112
 redetermination by DHS. 112

credible fear proceedings (cont.)
 representation. 111
 review by DHS. 110, 111
 review by Immigration Judge. 111, 112
 timing. 111
crewmembers. see asylum-only proceedings
criminal history chart. 49, 76, App. O
cross-examination. see witnesses

D

D visa applicants. see asylum-only proceedings
date stamp. see deadlines
deadlines
 appeals. see appeals
 asylum. 33, 34
 bond proceedings. see bond proceedings
 date stamp. 34
 "day," construction of. 34
 delays in delivery. 36
 detained aliens. 33
 discipline proceedings, in. see discipline
 effect of discipline on. see discipline
 extensions. 36
 filing receipts. 38
 generally. App. D
 Immigration Judge can specify. 32
 individual calendar hearings. 33
 master calendar hearings. 33, 66
 motions. see motions
 receipt, deemed "filed" at. 31
 responses. 33
 time, computation of. 35
 untimely filings. 37
declarations
 English language, in. 41
 penalty of perjury, under. 87, Glossary
 translations of. 41
defective filings. see filing
defensive asylum applications. see asylum
Department of Homeland Security (DHS)
 Administrative Appeals Office (AAO). 3
 Assistant Chief Counsel. Glossary
 asylum clock. see asylum
 Asylum Office. 33
 background and security investigations. 69-71
 biometrics instructions. 52, 53, 68-70, Glossary
 continued detention. see continued detention
 credible fear review. see credible fear
 detention of aliens. see detained aliens
 DHS forms. see forms
 discipline of DHS attorneys. see discipline
 employment authorization. see asylum
 EOIR, separate from. 2, 9, 57
 fees paid to. 50, 52, 53, 87, 88
 Forensics Documents Laboratory. 48
 Immigration and Customs Enforcement (ICE). 2, 9
 INS, replaced. 2

Department of Homeland Security (cont.)
 motions filed by. see motions
 party in proceedings. 56
 post-order instructions. 77
 reasonable fear review. see reasonable fear
Department of Justice (DOJ)
 Board of Immigration Appeals. see BIA
 Executive Office for Immigration Review. see EOIR
 Office of Immigration Litigation (OIL). see OIL
Department of State (DOS)
 asylum applications, review of. see asylum
 Country Reports. 49
 publications as evidence. see evidence
 Report on International Religious Freedom. 49
 Visa Bulletin. 88
deportation proceedings
 appeals. 106
 charging document. 56, 106
 DHS motions to reconsider. 93
 generally. 106, Glossary
 grounds of deportability. 106
 hearing notification. 106
 in absentia hearings. 78
 motions to reopen in absentia orders. 94
 Order to Show Cause (OSC). 56, 106, Glossary
 relief available. 106
 removal proceedings, compared with. 105, 106
 stays of deportation. see stays
Deputy Chief Immigration Judge (DCIJ). 4
detained aliens
 address obligations. see address obligations
 appearance at hearings. 121
 background and security investigations. see DHS
 bond. see bond proceedings
 continued detention. see continued detention
 deadlines. see deadlines
 detained minors. see minors
 hearings. 121
 limited proceedings. see limited proceedings
 location. 121
 orientation. 122
 release. 121
 transfers. 121
 venue. 121
detention facilities. see Immigration Courts
DHS. see Department of Homeland Security
digital audio recordings. 12
disbarment. see discipline
disciplinary counsel. see discipline
discipline
 accredited representatives. 26, 131
 adjudicating officials. 137-139
 Administrative Law Judges as adjudicating
 officials. 137
 adverse legal authority, failure to disclose. 133
 agreement in lieu of discipline. 135
 answer. 136-137

discipline (cont.)
 appeals. 138-139
 attorneys. 131
 authority to discipline. 24, 131
 boilerplate submissions, repeatedly filing. 133
 bribery. 132
 client's decisions, failure to abide by. 133
 coercion. 132
 communication with client, failure to maintain. 133
 competent representation, failure to provide. 133
 complaints. 134
 contempt of court. 133
 deadlines in discipline proceedings. 138
 deadlines, effect of discipline on. 140
 default order. 137, 139
 DHS attorneys. 132
 DHS motion to join. 136
 disbarment. 132, 135, 136
 disciplinary counsel. 134-136, 140
 disciplinary proceedings. 135-139
 disclosure to public. 139-140
 duty to advise clients. 140
 duty to report discipline. 134-135
 evidence. 138
 extension of time to answer, motion for. 136
 false certification. 133
 false evidence. 132
 false statements. 132
 Form EOIR-28, failure to file. 133
 frivolous behavior. 133
 grossly excessive fees. 132
 hearings, repeated failure to attend. 133
 Immigration Judges' authority
 to file complaints. 131
 Immigration Judges as adjudicating officials. 137
 Immigration Practitioner Complaint Form. 134
 immigration specialists. 132
 improperly soliciting clients. 132
 ineffective assistance of counsel. 133, 134, 140
 law graduates. 131
 law students. 131
 list of disciplined practitioners. 139-140
 misrepresentations. 133
 non-practitioners. 132
 notarios. 132
 Notice of Intent to Discipline (NID). 135-137, 139
 pending cases, effect on. 140-141
 Petition for Immediate Suspension. 136
 practitioners. 131
 pre-hearing conferences. 138
 prejudicial conduct. 133
 reasonable diligence and promptness,
 failure to act with. 133
 reinstatement to practice. 140-141
 representation in disciplinary proceedings. 137
 reputable individuals. 131
 resignation from bar. 132, 135, 136

discipline (cont.)
 sanctions for misconduct. 138
 self-reporting of misconduct. 134, 135
 serious crimes. 133, 135-136
 set aside default order, motion to. 137
 summary disciplinary proceedings. 135, 136, 139
 suspension from bar. 132, 135-136
 unauthorized practice of law. 132, 133
 visa consultants. 132
 warning letter. 135
 where to file documents. 138-139
 witnesses. 138
discretionary stays. *see* stays
documents
 advisory opinions. 48
 binding of. 47
 certificate of translation. Glossary
 certified translations. *see* translations, *below*
 conformed copies. 38
 consolidated cases. *see* consolidated cases
 cover page. 42-44, 46, 86, App. F
 criminal history chart. *see* criminal history chart
 date stamp. *see* deadlines
 Department of State publications. 49
 filing locations. *see* filing
 fonts and spacing. 47
 foreign-language documents. 41
 format, generally. 42
 forms. *see* forms
 governmental memoranda. 48
 internet publications. 49
 legal opinions. 48
 legibility. 42, 46
 newspaper articles. 49
 number of copies. 45
 order of documents. 42-44, 86
 original documents. 48
 pagination. 45
 paper size and quality. 46
 photocopies. 45-48, 87, 88, 90, 97, 99
 photographs. 48
 Proof of Service. *see* service
 proposed exhibits. 43, 45
 publications. 48
 service of. *see* service
 signatures. *see* signatures
 source materials. 48
 supporting documents. 48
 table of contents. 42-45, App. P
 tabs. 46
 translations. 41, App. H
 witness lists. *see* witnesses

E

e-filing. 32
e-mails. 14, 32

electronic devices
 cellular telephones. 63, 73, 75
 detention facilities, in. 63, 64
 electronic calendars. 63
 Immigration Court, in. 63
 laptop computers. 63
 possession of during hearings. 63
 recording devices, use of. 63
employment authorization. *see* asylum
entry of appearance
 accredited representatives. 25
 appearances "on behalf of". 24
 bar information. 19
 change in firm. 21
 change in representation. 57
 change of address. 15, 21
 change of telephone. 15
 disciplinary information. 20
 first appearance. 15, 57
 foreign government officials. 29
 Form EOIR-28, failure to file. *see* discipline
 Form EOIR-28, must file. 15, 16, 19, 143
 Form G-28 not accepted. 16
 forms. 15, 16, 19, 143
 general rules for. 15, 19
 law graduates. 27
 law students. 26
 limited appearances. 20
 master calendar, at. 67
 motions. *see* motions
 multiple representatives. 20
 reinstatement. 15
 remand. 15
 reputable individuals. 29
 service. 16, 41, 67
 substitution of counsel. 22, 57
EOIR. *see* Executive Office for Immigration Review
evidence
 bond proceedings. *see* bond proceedings
 criminal convictions. *see* criminal history chart
 Department of State publications as. 49
 impeachment evidence. 33
 motions. *see* motions
 newspaper articles. 49
 publications as evidence. 48
 rebuttal evidence. 33
 right to examine. 65
 right to object to. 65, 76, 77
 right to present. 65, 76, 77
 subpoenas. *see* subpoenas
ex parte communication. 13, Glossary
exclusion proceedings
 appeals. 107
 applicant. Glossary
 charging document. 56, 107
 DHS motions to reconsider. 93
 generally. 107, Glossary

exclusion proceedings (cont.)
 grounds of excludability. 107
 hearing notification. 107
 in absentia hearings. 78
 motions to reopen in absentia orders. 94
 Notice to Applicant Detained for Hearing. . . 56, 107
 public, closed to. 107
 relief available. 107
 removal proceedings, compared with. . . . 105, 107
 stays of exclusion. see stays
Executive Office for Immigration Review (EOIR)
 addresses. App. B
 Board of Immigration Appeals. see BIA
 disciplinary authority. see discipline
 EOIR forms. see forms
 FOIA requests. see Freedom of Information Act
 Fraud Program. 6, 28, 132
 generally. 1-7, Glossary
 Law Library. 7, 10, 151
 Legal Orientation and Pro Bono Program. . . 6, 122
 Office of Legislative and Public Affairs. . . . 7, 61
 Office of the Chief Administrative Hearing Officer
 (OCAHO). 3
 Office of the Chief Immigration Judge (OCIJ)
 1-4, 10
 Office of the General Counsel (OGC).
 5, 26, 134, 147
 organizational chart. App. C
 telephone numbers. App. B
 Virtual Law Library. 7, 11
 website. 14
expedited removal under INA § 235(b)(1)
 aliens subject to 108
 exceptions 109
 claimed status review see claimed status
 credible fear proceedings see credible fear
expedited removal under INA § 238(b)
 see reasonable fear, withholding-only

F

failure to prosecute. see removal proceedings
false certification. see discipline
false evidence. see discipline
false statements. see discipline
family members. 28, 42
faxes. 14, 32, 59
federal courts. 9
Federal Register. 152
fees
 application fees. 52, 53
 biometrics fees. 53
 consolidated cases. see consolidated cases
 defective or missing 53
 DHS, paid to. 50, 52, 87, 88
 FOIA. see Freedom of Information Act
 form of payment. 53
 grossly excessive. see discipline

fees (cont.)
 Immigration Court, not paid to. 50
 motions. see motions
 paid in advance. 50, 52
 receipts. 52
 visa petitions. 88
 waivers. 52, 87
filing
 ACCO fasteners. 47
 attorneys, by. 40, 85
 conformed copies. see documents
 consolidated cases. see consolidated cases
 courier services. see courier services
 date stamp. see deadlines
 deadlines. see deadlines
 defective filings. 37
 disciplinary proceedings, in. see discipline
 documents. see documents
 e-filing. 32
 e-mail. 32
 fax. 32, 59
 filing receipts. 38
 forms. see forms
 hole-punched. 47
 improper filings. 37
 locations. 31, 58, 59, 85, 86, App. K
 mailbox rule not observed. 31
 motions. see motions
 number of copies. see documents
 order of documents. see documents
 paper clips. 47
 postage problems. 31
 proposed exhibits. see documents
 public window, delivered to. 32
 receipt, deemed "filed" at. 31
 rejected filings. 37, 46, 52
 representatives, by. 40, 57, 85
 required filings. 75
 separate envelopes. 32
 signatures. see signatures
 stapling. 47
 street address, sent to. 32
 supporting documents. see documents
 telephonic hearings, filing at. 59
 untimely filings. 37, 38
 video hearings, filing at. 59
filing deadlines. see deadlines
FOIA. see Freedom of Information Act
fonts and spacing. see documents
food and drink. see Immigration Courts
foreign government officials. 29
foreign student advisors. 30
foreign-language documents. see documents
Forensics Documents Laboratory. see DHS
Form EOIR-
 26. see appeals
 26A. see appeals

Form EOIR- (cont.)

- 27. see appeals
- 28. see entry of appearance
- 33/IC. see address obligations
- Form G-28. see entry of appearance
- Form I-862. see Notice to Appear (NTA)
- former DOJ employees. 30
- forms
 - colors. 145
 - completed forms. 145
 - computer-generated. 144
 - list of. App. E
 - obtaining forms. 144
 - photocopies. 47, 144
 - recommended. 134, 143
 - required. 143
 - signatures. see signatures
- Fraud Program. see EOIR
- free legal services. see representation

Freedom of Information Act (FOIA)

- consent of subject. 149
- copies of the record. 147
- deadlines, effect on. 148
- denials. 149
- exempt from release. 148
- fees. 148
- inspecting the record. 147
- limitations. 148-149
- Office of Information and Privacy. 149
- processing times. 148
- requests. 147-148
- frivolous asylum applications. see asylum
- frivolous behavior. see discipline

G

- grossly excessive fees. see discipline

H

- hearings, repeated failure to attend. see discipline
- Homeland Security. see DHS

I

- ICE. Glossary
- IIRIRA. Glossary
- Immigration and Customs Enforcement (ICE). see DHS
- Immigration and Naturalization Service (INS). 2
- Immigration Courts
 - addresses. 32, App. A
 - Administrative Control Courts. 10, 13, 31
 - administrative offices, no access to. 64
 - arrival at court. 65
 - attire in court. 62
 - decorum. 62
 - designated detail cities. 10
 - detention facilities, in. 10, 59, 63, 64, 122

Immigration Courts (cont.)

- electronic devices. see electronic devices
- food and drink. 62
- generally. 4, 10, Glossary
- hours of operation. 32
- locations. 4, 10, 58, App. A
- public windows. 32
- public, when closed to. 60, 107
- security screening. 59, 64, 65
- shared administrative control. 31
- telephone numbers. App. A
- Immigration Judges
 - conduct and professionalism. 5
 - deadlines, can specify. 32
 - decisions. 8
 - discretion. 1
 - generally. 4, 7, 8, Glossary
 - inquiries to. 13
 - Liaison Judges. 5
 - practitioner discipline proceedings. see discipline
 - references to. 57, 62
- immigration specialists. 6, 29, 132
- Immigration Practitioner Complaint Form. see discipline
- improper filings. see filing
- improperly soliciting clients. see discipline
- in absentia hearings
 - deportation proceedings. 78
 - exclusion proceedings. 78
 - generally. 59, 78, Glossary
 - reopening. see motions to reopen in absentia
 - no appeal. 78
- INA. Glossary, Citation Index
- individual calendar hearings
 - conduct of hearing. 76
 - conferences. see pre-hearing conferences
 - deadlines. see deadlines
 - in absentia hearings. see in absentia hearings
 - interpreters. see interpreters
 - objections to evidence. see evidence
 - opening statements. 76
 - oral decisions. 77
 - post-order instructions. see DHS
 - pre-hearing briefs. see pre-hearing briefs
 - purpose of hearing. 75, Glossary
 - recording. see recording of hearings
 - required filings. see filing
 - statements. see pre-hearing statements
 - stipulations. see pre-hearing statements
 - telephonic hearings. see removal proceedings
 - telephonic testimony. see removal proceedings
 - testimony. see witnesses
 - video hearings. see removal proceedings
 - video testimony. see removal proceedings
 - witnesses. see witnesses
 - written decisions. 77
- ineffective assistance of counsel. see discipline

inquiries

- e-mail..... 14
- emergencies..... 14
- fax..... 14
- FOIA..... see Freedom of Information Act
- Immigration Courts staff, to..... 13
- Immigration Judges, to..... 13
- press..... 12
- generally..... 12
- telephone, by..... 12, App. I

INS..... see Immigration and Naturalization Service

internet publications..... see documents

interpreters

- contract interpreters..... 62
- Language Services Unit..... 4
- requests for interpreters..... 68, 69, 73
- staff interpreters..... 62
- telephonic..... 62
- when provided..... 61, 66, 68, 69, 73

IRCA..... Glossary

J

joint motions..... see motions

Justice Department..... see Department of Justice

juveniles..... see minors

L

Language Services Unit..... 4

laptop computers..... see electronic devices

law firms..... 20, 21, 42

law graduates..... 27, 131

Law Library..... see EOIR

law students..... 26, 27, 131

Legal Orientation and Pro Bono Program..... see EOIR

Liaison Judges..... see Immigration Judges

LIFE Act..... Glossary

limited appearances..... see representation

limited proceedings

- asylum-only..... see asylum-only
- claimed status..... see claimed status
- credible fear..... see credible fear
- detention..... 110, 124
- generally..... 108-110
- reasonable fear..... see reasonable fear
- withholding-only..... see withholding-only

LPR..... Glossary

M

mailings

- courier services..... see courier services
- delays in delivery..... 36
- mailbox rule not observed..... 31
- postage problems..... 31
- service by mailings..... 39
- street address, mailed to..... 32

master calendar hearings

- arrival at court..... 65
- background and security investigations..... see DHS
- biometrics instructions..... see DHS
- briefs..... see pre-hearing briefs
- conferences..... see pre-hearing conferences
- deadlines..... see deadlines
- entry of appearance..... see entry of appearance
- in absentia..... see in absentia hearings
- interpreters..... see interpreters
- objections to evidence..... see evidence
- opening the hearing..... 66
- pleadings..... see pleadings
- purpose of hearing..... 64, 65
- recording..... see recording of hearings
- request for a prompt hearing..... 64
- statements..... see pre-hearing statements
- stipulations..... see pre-hearings statements
- telephonic appearances..... 72
- telephonic testimony..... see removal proceedings
- video hearings..... see removal proceedings
- video testimony..... see removal proceedings
- waivers..... see waivers of appearances

merits hearing..... Glossary, see individual calendar

minors

- courtroom modifications..... 84
- courtroom orientation..... 84
- detention..... 122
- disruptions by..... 62
- must attend hearings..... 62
- must be supervised..... 63
- representation..... 84
- unaccompanied..... 84

misrepresentations..... see discipline

motions

- accept untimely filings..... 38
- address obligations..... see address obligations
- administrative closure..... 92, 99, Glossary
- advance hearing date..... 96
- amend filing..... 99
- appeals, relationship to..... 86, 92, 94
- applications for relief..... 87, 90, 97
- briefs..... see pre-hearing briefs
- change of venue..... 97, 121
- close hearing..... 60
- compound motions..... 89
- consolidation..... 83
- continuance..... 96
- copy of order..... 87
- cover page..... 86, App. F
- criminal convictions..... 92, 94
- deadlines..... 34, 87, 89, 90, 93, 95, App. D
- decisions..... 99
- departure, effect of..... 99
- DHS motions..... 51, 91, 93
- disciplinary proceedings, in..... see discipline
- entry of appearance..... 85, 90, 93, 94

motions (cont.)

evidence. 87
extension of deadline. 36
fees. 50, 51, 52, 87, 88, 90, 93, 94
joint motions. 39, 51, 91
motion packages. 43, 44
number limits. 89, 91, 93, 96
opposing party's position. 88
opposition to. 89
oral argument. 88
order of documents. *see documents*
post-decision motions. 85-87, 89
pre-decision motions. 85-87, 89, Glossary
pre-hearing conference. 78
proposed order. 86, App. Q
recalendar. 51, 92, 99
reconsider. *see motions to reconsider*
reopen in absentia. *see motions to reopen in abs.*
reopen. *see motions to reopen*
request an interpreter. 73
responses. 34, 91, 93, 96, 100
severance. 83
signatures. *see signatures*
stays. 51, 120
subpoena. 82
substitution of counsel. 22, 57
telephonic appearance. 72, 73
telephonic testimony. 75
transcriptions. *see records*
video testimony. 74
visa petitions. 88, Glossary
waive appearance. 71
where to file. 85, 86
withdrawal of counsel. 23, 57

motions to reconsider

address obligations. *see address obligations*
appeal pending. 94
appeals deadline, prior to. 94
content. 92
copy of order. 87
criminal convictions. 94
deadlines. 34, 87, 89, 93
DHS motions. 93
entry of appearance. 15, 85, 93
fees. 50-53, 93
identification of error. 94
motion packages. 44
no automatic stays. 94
number limits. 89, 93
order of documents. *see documents*
pre-7/1/96 cases. 93
pre-7/31/96 motions. 93
responses. 34, 93
where to file. 86

motions to reopen

address obligations. *see address obligations*
appeal pending. 92

motions to reopen (cont.)

appeals deadline, prior to. 92
applications for relief. 52, 90
battered spouses, children, and parents. 91
changed circumstances. 91
content. 90
copy of order. 87
criminal convictions. 92
deadlines. 34, 87, 89-91
DHS motions. 91
entry of appearance. 15, 85, 90
evidence. 90, 92
fees. 50-52, 90
in absentia. *see motions to reopen in absentia*
joint motions. 91
motion packages. 43
no automatic stays. 92
number limits. 89, 91
order of documents. *see documents*
pre-9/30/96 motions. 91
responses. 34, 91
where to file. 86

motions to reopen in absentia orders

address obligations. *see address obligations*
automatic stay. 96
content. 94, 95
copy of order. 87
deadlines. 34, 87, 89, 95
deportation proceedings. 94
entry of appearance. 15, 85, 94
exclusion proceedings. 94
fees. 50, 51, 94
number limits. 89, 96
responses. 34, 96
where to file. 86

multiple representatives. *see representation*

N

NACARA. Glossary
newspaper articles. *see documents*
notarios. 6, 29, 132
Notice of Appeal. *see appeals*
Notice of Intent to Discipline (NID). *see discipline*
Notice to Appear (NTA). *see removal proceedings*
Notice to Applicant Detained for Hearing
. *see exclusion proceedings*

O

Office of Immigration Litigation (OIL). 3
Office of Information and Privacy. *see FOIA*
Office of Legislative and Public Affairs. *see EOIR*
Office of the Chief Administrative Hearing Officer
. *see EOIR*
Office of the Chief Immigration Judge. *see EOIR*
Office of the General Counsel. *see EOIR*
opening statements. *see removal proceedings*

oral pleadings. see pleadings
order of documents. see documents
organizational chart. see EOIR
Order to Show Cause. see deportation proceedings
overnight deliver services. see courier services

P

paper size and quality. see documents
paralegals. 28, 42
party. Glossary
Petition for Immediate Suspension. see discipline
petitioner. Glossary
photocopies. see documents
photographs. see documents
pleadings
 contents of. 67, 68
 master calendar, taken at. 65, 67
 oral pleadings. 68, App. M
 written pleadings. 68, App. L
post-decision motions. see motions
post-order instructions. see DHS
postage problems. see mailings
Practice Manual
 authority. 1
 available online. 14, 151
 BIA Practice Manual. see BIA
 public input. 151-152
 purpose. 1
 reproduction of. 151
 revisions. 1
 updates. 151
practitioners. see representation
pre-decision motions. see motions
pre-hearing briefs
 citations in. 80, 81, App. J
 consolidated cases. 81
 contents. 79-81
 encouraged. 79
 motion briefs. 89
 responses. 81
 signatures. see signatures
pre-hearing conferences
 disciplinary proceedings, in. see discipline
 Immigration Judge, initiated by. 78
 purpose. 78
 requests for. 78
pre-hearing statements
 contents. 79
 purpose. 79
 stipulations in. 79
prejudicial conduct. see discipline
press. 12, 61, 63
primary attorney (notice attorney). see representation
pro bono representation
 Legal Orientation and Pro Bono program
 see EOIR

pro bono representation (cont.)
 unaccompanied juveniles, for. 84
pro se. see representation
Proof of Service. see service
proposed exhibits. see documents
proposed order. see motions

R

REAL ID Act. Glossary
reasonable cause hearings see continued detention
reasonable diligence and promptness,
 failure to act with. see discipline
reasonable fear proceedings
 conduct of hearing. 114
 detention. 110, 124
 expedited removal. 109, 113
 generally. 113, Glossary
 location. 113
 no appeal. 114
 reinstatement of prior order. 109, 113
 representation. 114
 review by DHS. 113
 review by Immigration Judge. 113, 114
 timing. 113
Record of Proceedings (ROP). see records
recording of hearings
 bond proceedings. see bond proceedings
 copies for parties. 11
 digital audio recording. 12
 off-the-record discussions. 61, 76, Glossary
 restrictions on. 63
 rules for. 61, 76
records
 confidentiality. 12
 non-parties' access to. 11, 12
 parties' access to. 11
 Record of Proceedings (ROP). 61, 75, Glossary
 requests for. see Freedom of Information Act
 transcriptions. 61, 89, Glossary
regulations. 152, Citation Index
reinstatement of prior order
 see reasonable fear, withholding-only
reinstatement to practice. see discipline
rejected filing. see filing
release from detention. see detained aliens
release of counsel. see representation
removal proceedings
 absence of representative. 59
 aliens, references to. 56
 appeals. see appeals
 arrival at court. see Immigration Courts
 asylum clock. see asylum
 attendance required. 59
 background and security investigations. see DHS
 behavior in court. see Immigration Courts
 biometrics instructions. see DHS

removal proceedings (cont.)

briefs. see pre-hearing briefs
charging document. 55, 58, 64, 65, 67, 68, 97
closed hearings. 60
closing statements. 76
communication between parties. 62
conferences. see pre-hearing conferences
consolidated cases see consolidated cases
country of removal. 67-69, 97
deadlines. see deadlines
definition. Glossary
detained aliens. see detention of aliens
DHS attorneys, references to. 56
electronic devices. see electronic devices
employment authorization. see asylum
entry of appearance. see entry of appearance
failure to prosecute. 56
filing locations. see filing
hearing locations. 58, 59
in absentia. see in absentia hearings
individual calendar see individual calendar
interpreters. see interpreters
master calendar. see master calendar
minors. see minors
Notice to Appear (NTA)
. 55, 56, 58, 64, 65, 67, 68, 97, Glossary
notification of hearing. 65
objections to evidence. see evidence
opening statements. 76
parties, references to. 56
pleadings. see pleadings
post-order instructions. see DHS
recording. see recording of hearings
Record of Proceedings (ROP). see records
representation. see representation
severance. see severance of proceedings
statements. see pre-hearing statements
stays of removal. see stays
stipulations. see pre-hearings statements
subpoenas. see subpoenas
telephonic appearances. see master calendar
telephonic hearings. 58, 59
telephonic testimony. 74
timeliness 59, 64
transcriptions. see records
video hearings. 58, 59
video testimony. 74
waivers. see waivers of appearances
witnesses. see witnesses

representation

absence of representative. 59
adverse legal authority, failure to disclose
. see discipline
appearances "on behalf of". 24
attire. see Immigration Courts
attorneys, references to. 57
bond proceedings. see bond proceedings

representation (cont.)

boilerplate submissions, repeatedly filing
. see discipline
bribery. see discipline
changes of address. see address obligations
claimed status review. see claimed status review
client's decisions, failure to abide by. see discipline
communication with client, failure to maintain
. see discipline
competent representation, failure to provide
. see discipline
contempt of court. see discipline
continued detention. see continued detention
credible fear proceedings. see credible fear
disbarment. see discipline
disciplinary proceedings, in. see discipline
entry of appearance. see entry of appearance
false certification. see discipline
false evidence. see discipline
false statements. see discipline
family members. 28, 42
foreign government officials. 29
foreign student advisors. 30
Form EOIR-28, failure to file. see discipline
former DOJ employees. 30
free legal services. 17, 25, 65
frivolous behavior. see discipline
grossly excessive fees. see discipline
hearings, failure to attend. see discipline
immigration specialists. 28
improperly soliciting clients. see discipline
ineffective assistance of counsel. see discipline
inmates. 29
law firms. 20, 21, 42
law graduates. 27, 131
law students. 26, 131
limited appearances. 20
misconduct. see discipline
misrepresentations. see discipline
multiple representatives. 20, 57
notice attorney. see primary attorney, *below*
paralegals. 28, 42
practitioners. 131, Glossary
prejudicial conduct. see discipline
primary attorney. 20, 57, Glossary
pro bono. see pro bono representation
pro se. 16, 57, 66, 77, Glossary
reasonable diligence and promptness,
failure to act with. see discipline
reasonable fear proceedings. see reasonable fear
release of counsel. 24
representatives, references to. 57
reputable individuals. 28, 29, 131, Glossary
resignation from bar. see discipline
right to representation. 18, 57, 65, 66
serious crimes. see discipline
signatures. see signatures

representation (cont.)
 substitution of counsel. 22, 57
 suspension from bar. see discipline
 telephonic appearances. see master calendar
 types of representatives. 15
 unauthorized practice of law. see discipline
 withdrawal of counsel. 23, 57
reputable individuals. 28, 29, 131, Glossary
request for a prompt hearing. see master calendar
rescission proceedings
 appeal. 108
 hearing. 107, 108
 Notice of Intent to Rescind. 108
resignation from bar. see discipline
respondent. Glossary

S

S visa applicants. see asylum-only proceedings
sanctions for misconduct. see discipline
security grounds, removable under see asylum-only
security screening. see Immigration Courts
self-reporting of misconduct. see discipline
serious crimes. see discipline
service
 attorneys, by. 40
 attorneys, on. 21, 40
 Certificate of Service. 39, 40
 courier, by. 39
 definition. 39, Glossary
 hand-delivery, by. 39
 mail, by. 39
 Notice of Entry of Appearance. 16, 41, 67
 Proof of Service. 39-44, Glossary, App. G
 representatives, by. 40, 67
 representatives, on. 21, 40
 requirements. 39
 signatures. see signatures
 subpoenas, service of. see subpoenas
 whom to serve. 39
severance of proceedings. 83
signatures
 accredited representatives. 26, 42
 computer-generated. 41
 family members. 42
 forms. 47
 generally. 41
 law firms. 42
 motions. 47
 paralegals. 42
 photocopies. 47
 pre-hearing briefs. 47, 80
 Proofs of Service. 40, 42
 signature stamps. 41
 simulated signatures. 41
 third parties. 40, 42
solicitation, improper. see discipline

source materials. see documents
State Department. see Department of State
stays
 appeals, during. 119
 automatic stays. 119, 120
 certification, during. 119
 deportation proceedings. 120
 discretionary stays. 120
 exclusion proceedings. 120
 generally. 119, Glossary
 motions to reconsider. see motions to reconsider
 motions to reopen. see motions to reopen
 motions to reopen in absentia orders
 see motions to reopen in absentia orders
 requests for stays. 120
stipulations. see pre-hearings statements
stowaways. see credible fear, asylum-only
subpoenas
 contents. 82, App. N
 evidence, for. 82
 requests for subpoenas. 82
 service. 83
 witnesses, for. 82, 83
substitution of counsel. see representation
summary disciplinary proceedings. see discipline
supporting documents. see documents
suspension from bar. see discipline

T

table of contents. see documents
tabs. see documents
telephonic appearances. see master calendar
telephonic hearings. see removal proceedings
telephonic numbers. see EOIR, Immigration Courts
telephonic testimony. see removal proceedings
televideo hearings. see video hearings
televideo testimony. see video testimony
transcriptions. see records
translations. see documents
Trial Attorney. Glossary

U

unauthorized practice of law. see discipline
untimely filings. see filing
USCIS. Glossary

V

venue, change of. see motions
video hearings. see removal proceedings
video testimony. see removal proceedings
Virtual Law Library. see EOIR
Visa Bulletin. see Department of State
visa consultants. 6, 29, 132
visa petitions. see motions

visa waiver applicants. . . see asylum-only proceedings
visa waiver overstays. . . see asylum-only proceedings

W

waivers of appearances
 aliens. 72, 73
 representatives. 71, 72
warning letter. see discipline
withdrawal of counsel. see representation
withholding-only proceedings
 appeals. 118
 conduct of proceeding. 118
 detention. 110, 124
 expedited removal. 117
 generally. 117, Glossary
 reinstatement of prior order. 117
witness lists. see witnesses
witnesses
 bond proceedings, in. see bond proceedings
 cross-examination of. 65, 76, 77
 disciplinary proceedings, in. see discipline
 interpreters. see interpreters
 oath, placed under. 77
 right to present. 76, 77
 subpoenas. see subpoenas
 testimony, objections to. 76, 77
 witness list required. 76
 witness list requirements. 43, 50
written pleadings. see pleadings

