

## Chapter 1 Table of Contents

<b>Chapter 1</b>	<b>The Immigration Court</b>	
1.1	Scope of the Practice Manual . . . . .	1
1.2	Function of the Office of the Chief Immigration Judge . . . . .	1
1.3	Composition of the Office of the Chief Immigration Judge . . . . .	3
1.4	Other EOIR Components . . . . .	5
1.5	Jurisdiction and Authority . . . . .	7
1.6	Public Access . . . . .	10
1.7	Inquiries . . . . .	12

## 1 The Immigration Court

### 1.1 Scope of the Practice Manual

**(a) Authority.** — The Executive Office for Immigration Review (EOIR) is charged with administering the Immigration Courts nationwide. The Attorney General has directed the Director of EOIR, in consultation with the Immigration Judges, to issue an Immigration Court Practice Manual.

**(b) Purpose.** — This manual is provided for the information and convenience of the general public and for parties that appear before the Immigration Courts. The manual describes procedures, requirements, and recommendations for practice before the Immigration Courts. The requirements set forth in this manual are binding on the parties who appear before the Immigration Courts, unless the Immigration Judge directs otherwise in a particular case.

**(c) Disclaimer.** — This manual is not intended, nor should it be construed in any way, as legal advice. The manual does not extend or limit the jurisdiction of the Immigration Courts as established by law and regulation. Nothing in this manual shall limit the discretion of Immigration Judges to act in accordance with law and regulation.

**(d) Revisions.** — The Office of the Chief Immigration Judge reserves the right to amend, suspend, or revoke the text of this manual at any time at its discretion. For information on how to obtain the most current version of this manual, see Chapter 13.3 (Updates to the Practice Manual). For information on how to provide comments regarding this manual, see Chapter 13.4 (Public Input).

### 1.2 Function of the Office of the Chief Immigration Judge

**(a) Role.** — The Office of the Chief Immigration Judge oversees the administration of the Immigration Courts nationwide and exercises administrative supervision over Immigration Judges. Immigration Judges are responsible for conducting Immigration Court proceedings and act independently in deciding matters before them. Immigration Judges are tasked with resolving cases in a manner that is timely, impartial, and consistent with the Immigration and Nationality Act, federal regulations, and precedent decisions of the Board of Immigration Appeals and federal appellate courts.

**(b) Location within the federal government.** — The Office of the Chief Immigration Judge (OCIJ) is a component of the Executive Office for Immigration Review

(EOIR). Along with the Board of Immigration Appeals and the Office of the Chief Administrative Hearing Officer, OCIJ operates under the supervision of the Director of EOIR. See 8 C.F.R. § 1003.0(a). In turn, EOIR is a component of the Department of Justice and operates under the authority and supervision of the Attorney General. See Appendix C (Organizational Chart).

**(c) Relationship to the Board of Immigration Appeals.** — The Board of Immigration Appeals is the highest administrative tribunal adjudicating immigration and nationality matters. The Board is responsible for applying the immigration and nationality laws uniformly throughout the United States. Accordingly, the Board has been given nationwide jurisdiction to review decisions of Immigration Judges and certain decisions made by the Department of Homeland Security (DHS). The Board is tasked with resolving the questions before it in a manner that is timely, impartial, and consistent with the Immigration and Nationality Act (INA) and federal regulations. The Board is also tasked with providing clear and uniform guidance to Immigration Judges, DHS, and the general public on the proper interpretation and administration of the INA and the federal regulations. See 8 C.F.R. § 1003.1(d)(1). See also Appendix C (Organizational Chart).

In addition, the Board is responsible for the recognition of organizations and the accreditation of representatives wishing to appear before the Immigration Courts, DHS, and the Board. Finally, the Board has authority over the disciplining and sanctioning of representatives appearing before the Immigration Courts, DHS, and the Board. See Chapter 10 (Discipline of Practitioners).

For detailed guidance on practice before the Board, parties should consult the Board of Immigration Appeals Practice Manual, which is available at [www.usdoj.gov/eoir/biainfo.htm](http://www.usdoj.gov/eoir/biainfo.htm).

**(d) Relationship to the Department of Homeland Security.** — The Department of Homeland Security (DHS) was created in 2003 and assumed most of the functions of the now-abolished Immigration and Naturalization Service. DHS is responsible for enforcing immigration laws and administering immigration and naturalization benefits. By contrast, the Immigration Courts and the Board of Immigration Appeals are responsible for independently adjudicating cases under the immigration laws. Thus, DHS is entirely separate from the Department of Justice and the Executive Office for Immigration Review. In proceedings before the Immigration Court or the Board, DHS is deemed to be a party and is represented by its component, U.S. Immigration and Customs Enforcement (ICE). See Chapters 1.5(a) (Jurisdiction), 1.5(c) (Immigration Judge decisions), 1.5(e) (Department of Homeland Security).

**(e) Relationship to the Immigration and Naturalization Service.** — Prior to the creation of the Department of Homeland Security (DHS), the Immigration and Naturalization

Service (INS) was responsible for enforcing immigration laws and administering immigration and naturalization benefits. INS was a component of the Department of Justice. INS has been abolished and its role has been assumed by DHS, which is entirely separate from the Department of Justice. See subsection (d), above.

**(f) Relationship to the Office of the Chief Administrative Hearing Officer.** — The Office of the Chief Administrative Hearing Officer (OCAHO) is an independent entity within the Executive Office for Immigration Review. OCAHO is responsible for hearings involving employer sanctions, anti-discrimination provisions, and document fraud under the Immigration and Nationality Act. OCAHO's Administrative Law Judges are not affiliated with the Office of the Chief Immigration Judge. The Board of Immigration Appeals does not review OCAHO decisions. See Appendix C (Organizational Chart).

**(g) Relationship to the Administrative Appeals Office.** — The Administrative Appeals Office (AAO), sometimes referred to as the Administrative Appeals Unit (AAU), was a component of the former Immigration and Naturalization Service and is now a component of the Department of Homeland Security (DHS). The AAO adjudicates appeals from DHS denials of certain kinds of applications and petitions, including employment-based immigrant petitions and most nonimmigrant visa petitions. See 8 C.F.R. §§ 103.2, 103.3. The AAO is not a component of the Department of Justice. The AAO should not be confused with the Executive Office for Immigration Review, the Office of the Chief Immigration Judge, or the Board of Immigration Appeals. See Appendix C (Organizational Chart).

**(h) Relationship to the Office of Immigration Litigation (OIL).** — The Office of Immigration Litigation (OIL) represents the United States government in immigration-related civil trial litigation and appellate litigation in the federal courts. OIL is a component of the Department of Justice, located in the Civil Division. OIL is separate and distinct from the Executive Office for Immigration Review (EOIR). OIL should not be confused with EOIR, the Office of the Chief Immigration Judge, or the Board of Immigration Appeals. See Appendix C (Organizational Chart).

### 1.3 Composition of the Office of the Chief Immigration Judge

**(a) General.** — The Office of the Chief Immigration Judge (OCIJ) supervises and directs the activities of the Immigration Courts. OCIJ operates under the supervision of the Director of the Executive Office for Immigration Review (EOIR). OCIJ develops operating policies for the Immigration Courts, oversees policy implementation, evaluates the performance of the Immigration Courts, and provides overall supervision of the Immigration Judges.

**(i) Chief Immigration Judge.** — The Chief Immigration Judge oversees the administration of the Immigration Courts nationwide.

**(ii) Deputy Chief Immigration Judge.** — The Deputy Chief Immigration Judge assists the Chief Immigration Judge in carrying out his or her responsibilities.

**(iii) Assistant Chief Immigration Judges.** — The Assistant Chief Immigration Judges oversee the operations of specific Immigration Courts. A listing of the Immigration Courts overseen by each Assistant Chief Immigration Judge is available on the Executive Office for Immigration Review website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

**(iv) Legal staff.** — OCIJ's legal staff supports the Chief Immigration Judge, Deputy Chief Immigration Judge, and Assistant Chief Immigration Judges, as well as the Immigration Judges and Immigration Court law clerks nationwide.

**(v) Language Services Unit.** — The Language Services Unit oversees staff interpreters and contract interpreters at the Immigration Courts. The Language Services Unit conducts quality assurance programs for all interpreters.

**(vi) Court Evaluation Team.** — The Court Evaluation Team coordinates periodic comprehensive evaluations of the operations of each Immigration Court and makes recommendations for improvements.

**(vii) Court Analysis Unit.** — The Court Analysis Unit monitors Immigration Court operations and assists the courts by analyzing caseloads and developing systems to collect caseload data.

**(b) Immigration Courts.** — There are more than 200 Immigration Judges in more than 50 Immigration Courts nationwide. As a general matter, Immigration Judges determine removability and adjudicate applications for relief from removal. For the specific duties of Immigration Judges, see Chapter 1.5 (Jurisdiction and Authority). The decisions of Immigration Judges are final unless timely appealed or certified to the Board of Immigration Appeals. See Chapter 6 (Appeals of Immigration Judge Decisions).

Court Administrators are assigned to the local office of each Immigration Court. Under the supervision of an Assistant Chief Immigration Judge, the Court Administrator manages the daily activities of the Immigration Court and supervises staff interpreters, legal assistants, and clerical and technical employees.

In each Immigration Court, the Court Administrator serves as the liaison with the local office of the Department of Homeland Security, the private bar, and non-profit

organizations that represent aliens. In some Immigration Courts, a Liaison Judge also participates as a liaison with these groups.

A listing of the Immigration Courts is available on the Executive Office for Immigration Review website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

**(c) Immigration Judge conduct and professionalism.** — Immigration Judges strive to act honorably, fairly, and in accordance with the highest ethical standards, thereby ensuring public confidence in the integrity and impartiality of Immigration Court proceedings. Alleged misconduct by Immigration Judges is taken seriously by the Department of Justice and the Executive Office for Immigration Review (EOIR), especially if it impugns the integrity of the hearing process.

Usually, when a disagreement arises with an Immigration Judge's ruling, the disagreement is properly raised in a motion to the Immigration Judge or an appeal to the Board of Immigration Appeals. When a party has an immediate concern regarding an Immigration Judge's conduct that is not appropriate for a motion or appeal, the concern may be raised with the Assistant Chief Immigration Judge (ACIJ) responsible for the court or the ACIJ for Conduct and Professionalism. Contact information for ACIJs is available on the EOIR website at <http://www.usdoj.gov/eoir/sibpages/ICadr.htm>.

In the alternative, parties may raise concerns regarding an Immigration Judge's conduct directly with the Office of the Chief Immigration (OCIJ) by following the procedures outlined on the EOIR website at [www.usdoj.gov/eoir/sibpages/IJConduct.htm](http://www.usdoj.gov/eoir/sibpages/IJConduct.htm) or by sending an e-mail to OCIJ at: [EOIR.IJConduct@usdoj.gov](mailto:EOIR.IJConduct@usdoj.gov). Where appropriate, concerns may also be raised with the Department of Justice, Office of Professional Responsibility. All concerns, and any actions taken, may be considered confidential and not subject to disclosure.

#### 1.4 Other EOIR Components

**(a) Office of the General Counsel.** — The Office of the General Counsel (OGC) provides legal advice to the Executive Office for Immigration Review. OGC also functions as a resource and point of contact for the public in certain instances. In particular, OGC responds to Freedom of Information Act requests related to immigration proceedings. See Chapter 12 (Freedom of Information Act). OGC receives complaints of misconduct involving immigration practitioners, and initiates disciplinary proceedings where appropriate. See Chapter 10 (Discipline of Practitioners). Working with the Board of Immigration Appeals, OGC also maintains the list of accredited representatives who may represent aliens before the Immigration Courts and the Board. See Chapter 2.4 (Accredited Representatives).

**(b) EOIR Fraud Program.** — The Executive Office for Immigration Review (EOIR) Fraud Program was created to protect the integrity of immigration proceedings by reducing immigration fraud and abuse. The EOIR Fraud Program assists Immigration Judges and EOIR staff in identifying fraud. In addition, the program shares information with law enforcement and investigative authorities. The program is an initiative of the EOIR Office of the General Counsel, as directed by the Attorney General.

Immigration fraud and abuse can take many forms. Fraud is sometimes committed during Immigration Court proceedings by individuals in proceedings and by their attorneys. In addition, aliens are often victimized by fraud committed by individuals not authorized to practice law, who are frequently referred to as “immigration specialists,” “visa consultants,” “travel agents,” and “notarios.”

Where a person suspects that immigration fraud has been committed, he or she may report this to the EOIR Fraud Program. Where appropriate, the EOIR Fraud Program refers cases to other authorities for further investigation.

Individuals wishing to report immigration fraud or abuse, or other irregular activity, should contact the EOIR Fraud Program. For contact information, see Appendix B (EOIR Directory).

**(c) Legal Orientation and Pro Bono Program.** — The Legal Orientation and Pro Bono Program (LOP) was created to provide detained aliens with essential and easy-to-understand information regarding the Immigration Court process, including their rights, responsibilities, and options for relief from removal. The LOP is an initiative of the Executive Office for Immigration Review (EOIR), Office of the General Counsel.

The LOP is carried out locally through subcontracts with nonprofit legal agencies in cooperation with a number of local Immigration Courts and detention facilities.

The LOP providers conduct “group orientations,” which are general rights presentations given to detained aliens prior to their first Immigration Court hearing. “Individual orientations” and “self-help workshops” are then provided to unrepresented detainees to assist them with understanding their cases and identifying potential claims for relief from removal. While the LOP does not pay for legal representation, all detained aliens at LOP sites are provided access to program services, which may also include assistance with either locating pro bono counsel or representing themselves before the court.

More information about the LOP is available on the EOIR website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

**(d) Office of Legislative and Public Affairs.** — The Office of Legislative and Public Affairs (OLPA) is responsible for the public relations of the Executive Office for Immigration Review (EOIR), including the Office of the Chief Immigration Judge. Because Department of Justice policy prohibits interviews with Immigration Judges, OLPA serves as EOIR’s liaison with the press.

**(e) Law Library and Immigration Research Center.** — The Law Library and Immigration Research Center (LLIRC) is maintained by the Executive Office for Immigration Review (EOIR) for use by EOIR staff and the general public. The LLIRC maintains a “Virtual Law Library” accessible on the EOIR website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir). See Chapter 1.6(b) (Library and online resources).

## 1.5 Jurisdiction and Authority

**(a) Jurisdiction.** — Immigration Judges generally have the authority to:

- make determinations of removability, deportability, and excludability
- adjudicate applications for relief from removal or deportation, including, but not limited to, asylum, withholding of removal (“restriction on removal”), protection under the Convention Against Torture, cancellation of removal, adjustment of status, registry, and certain waivers
- review credible fear and reasonable fear determinations made by the Department of Homeland Security (DHS)
- conduct claimed status review proceedings
- conduct custody hearings and bond redetermination proceedings
- make determinations in rescission of adjustment of status and departure control cases
- take any other action consistent with applicable law and regulation as may be appropriate, including such actions as ruling on motions, issuing subpoenas, and ordering pre-hearing conferences and statements

See 8 C.F.R. §§ 1240.1(a), 1240.31, 1240.41.

Immigration Judges also have the authority to:

- conduct disciplinary proceedings pertaining to attorneys and accredited representatives, as discussed in Chapter 10 (Discipline of Practitioners)
- administer the oath of citizenship in administrative naturalization ceremonies conducted by DHS
- conduct removal proceedings initiated by the Office of Special Investigations

**(b) No jurisdiction.** — Although Immigration Judges exercise broad authority over matters brought before the Immigration Courts, there are certain immigration-related matters over which Immigration Judges do not have authority, such as:

- visa petitions
- employment authorization
- certain waivers
- naturalization applications
- revocation of naturalization
- parole into the United States under INA § 212(d)(5)
- applications for advance parole
- employer sanctions
- administrative fines and penalties under 8 C.F.R. parts 280 and 1280
- determinations by the Department of Homeland Security involving safe third country agreements

See 8 C.F.R. §§ 103.2, 1003.42(h), 28 C.F.R. § 68.26.

**(c) Immigration Judge decisions.** — Immigration Judges render oral and written decisions at the end of Immigration Court proceedings. See Chapter 4.16(g) (Decision). A decision of an Immigration Judge is final unless a party timely appeals the decision to the

Board of Immigration Appeals or the case is certified to the Board. Parties should note that the *certification* of a case is separate from any *appeal* in the case. See Chapter 6 (Appeals of Immigration Judge Decisions).

**(d) Board of Immigration Appeals.** — The Board of Immigration Appeals has broad authority to review the decisions of Immigration Judges. See 8 C.F.R. § 1003.1(b). See also Chapter 6 (Appeals of Immigration Judge Decisions). Although the Immigration Courts and the Board are both components of the Executive Office for Immigration Review, the two are separate and distinct entities. Thus, administrative supervision of Board Members is vested in the Chairman of the Board, not the Office of the Chief Immigration Judge. See Chapter 1.2(c) (Relationship to the Board of Immigration Appeals). See Appendix C (Organizational Chart).

**(e) Department of Homeland Security.** — The Department of Homeland Security (DHS) enforces the immigration and nationality laws and represents the United States government's interests in immigration proceedings. DHS also adjudicates visa petitions and applications for immigration benefits. See, e.g., 8 C.F.R. § 1003.1(b)(4), (5). DHS is entirely separate from the Department of Justice and the Executive Office for Immigration Review. When appearing before an Immigration Court, DHS is deemed a party to the proceedings and is represented by its component, U.S. Immigration and Customs Enforcement (ICE). See Chapter 1.2(d) (Relationship to the Department of Homeland Security (DHS)).

**(f) Attorney General.** — Decisions of Immigration Judges are reviewable by the Board of Immigration Appeals. The Board's decisions may be referred to the Attorney General for review. Referral may occur at the Attorney General's request, or at the request of the Department of Homeland Security or the Board. The Attorney General may vacate any decision of the Board and issue his or her own decision in its place. See 8 C.F.R. § 1003.1(d)(1)(i), (h). Decisions of the Attorney General may be published as precedent decisions. The Attorney General's precedent decisions appear with the Board's precedent decisions in *Administrative Decisions Under Immigration and Nationality Law of the United States* ("I&N Decisions").

**(g) Federal courts.** — Decisions of Immigration Judges are reviewable by the Board of Immigration Appeals. In turn, decisions of the Board are reviewable in certain federal courts, depending on the nature of the appeal. When a decision of the Board is reviewed by a federal court, the Board provides that court with a certified copy of the record before the Board. This record includes the Record of Proceedings before the Immigration Judge.

## 1.6 Public Access

### **(a) Court locations. —**

**(i) Office of the Chief Immigration Judge. —** The Office of the Chief Immigration Judge, which oversees the administration of the Immigration Courts nationwide, is located at the Executive Office for Immigration Review headquarters in Falls Church, Virginia. See Appendix B (EOIR Directory).

**(ii) Hearing locations. —** There are more than 200 Immigration Judges in more than 50 Immigration Courts in the United States. A list of Immigration Courts is available in Appendix A (Immigration Court Addresses), as well as on the Executive Office for Immigration Review website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

Immigration Judges sometimes hold hearings in alternate locations, such as designated detail cities where the caseload is significant but inadequate to warrant the establishment of a permanent Immigration Court. Immigration Judges also conduct hearings in Department of Homeland Security detention centers nationwide, as well as many federal, state, and local correctional facilities. Documents pertaining to hearings held in these locations are filed at the appropriate Administrative Control Court. See Chapter 3.1(a)(i) (Administrative Control Court).

In addition, hearings before Immigration Judges are sometimes conducted by video conference or, under certain conditions, by telephone conference. See Chapter 4.7 (Hearings by Video or Telephone Conference).

With certain exceptions, hearings before Immigration Judges are open to the public. See Chapter 4.9 (Public Access). The public's access to immigration hearings is discussed in Chapter 4.14 (Access to Court). For additional information on the conduct of hearings, see Chapters 4.12 (Courtroom Decorum), 4.13 (Electronic Devices).

### **(b) Library and online resources. —**

**(i) Law Library and Immigration Research Center. —** The Board of Immigration Appeals maintains a Law Library and Immigration Research Center (LLIRC) at 5201 Leesburg Pike, Suite 1200, Falls Church, Virginia. The LLIRC maintains select sources of immigration law, including Board decisions, federal statutes and regulations, federal case reporters, immigration law treatises, and various secondary sources. The LLIRC serves the Executive Office for Immigration Review (EOIR), including the Office of the Chief Immigration Judge and the Immigration Courts, as well as the general public. For hours of operation, directions,

and collection information, contact the LLIRC at (703) 506-1103 or visit the EOIR website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir). See Appendix B (EOIR Directory).

The LLRC is not a lending library, and all printed materials must be reviewed on the premises. LLRC staff may assist patrons in locating materials, but are not available for research assistance. LLRC staff do not provide legal advice or guidance regarding filing or procedures for matters before the Immigration Courts. LLRC staff may, however, provide guidance in locating published decisions of the Board.

Limited self-service copying is available in the LLRC. Smoking is prohibited.

**(ii) Virtual Law Library.** — The LLRC maintains a “Virtual Law Library,” accessible on the Executive Office for Immigration Review website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir). The Virtual Law Library serves as a comprehensive repository of immigration-related law and information for use by the general public.

**(c) Records.** —

**(i) Inspection by parties.** — Parties to a proceeding, and their representatives, may inspect the official record, except for classified information, by prior arrangement with the Immigration Court having control over the record. See Chapters 3.1(a)(i) (Administrative Control Court), 4.10(c) (Record of Proceedings). Removal of records by parties or other unauthorized persons is prohibited.

**(ii) Inspection by non-parties.** — Persons or entities who are not a party to a proceeding must file a request for information pursuant to the Freedom of Information Act (FOIA) to inspect the Record of Proceedings. See Chapter 12 (Freedom of Information Act).

**(iii) Copies for parties.** — The Immigration Court has the discretion to provide parties or their legal representatives with a copy of the hearing recordings and up to 25 pages of the record without charge, subject to the availability of court resources. Self-service copying is not available. However, parties may be required to file a request under FOIA to obtain these items. See Chapter 12 (Freedom of Information Act).

**(A) Cassette recordings.** — In certain Immigration Courts, hearings are recorded on cassette tapes. For these courts, if a party is requesting a copy of a hearing recording, the party must provide a sufficient number of 90-minute cassette tapes.

**(B) Digital audio recordings.** — In certain Immigration Courts, hearings are recorded digitally. For these courts, if a party is requesting a copy of a hearing recording, the court will provide the compact disc.

**(iv) Copies for non-parties.** — The Immigration Court does not provide non-parties with copies of any official record, whether in whole or in part. To obtain an official record, non-parties must file a request for information under FOIA. See Chapter 12 (Freedom of Information Act).

**(v) Confidentiality.** — The Immigration Courts take special precautions to ensure the confidentiality of cases involving aliens in exclusion proceedings, asylum applicants, battered alien spouses and children, classified information, and information subject to a protective order. See Chapter 4.9 (Public Access).

## 1.7 Inquiries

**(a) Generally.** — All inquiries to an Immigration Court must contain or provide the following information for each alien:

- complete name (as it appears on the charging document)
- alien registration number (“A number”)
- type of proceeding (removal, deportation, exclusion, bond, etc.)
- date of the upcoming master calendar or individual calendar hearing
- the completion date, if the court proceedings have been completed

See also Chapter 3.3(c)(vi) (Cover page and caption), Appendix F (Sample Cover Page).

**(b) Press inquiries.** — All inquiries from the press should be directed to the Executive Office for Immigration Review, Office of Legislative and Public Affairs. For contact information, see Appendix B (EOIR Directory).

**(c) ASQ.** — The Automated Status Query system or “ASQ” (pronounced “ask”) provides information about the status of cases before an Immigration Court or the Board of Immigration Appeals. See Appendices B (EOIR Directory), I (Telephonic Information). ASQ contains a telephone menu (in English and Spanish) covering most kinds of cases. The caller must enter the alien registration number (“A number”) of the alien involved.

A numbers have nine digits (e.g., A 234 567 890). Formerly, A numbers had eight digits (e.g., A 12 34 678). In the case of an eight-digit A number, the caller should enter a "0" before the A number (e.g., A 012 345 678).

For cases before the Immigration Court, ASQ contains information regarding:

- the next hearing date, time, and location
- in asylum cases, the elapsed time and status of the asylum clock
- Immigration Judge decisions

ASQ does not contain information regarding:

- bond proceedings
- motions

Inquiries that cannot be answered by ASQ may be directed to the Immigration Court in which the proceedings are pending or to the appropriate Administrative Control Court. See Chapter 3.1(a)(i) (Administrative Control Courts). Callers must be aware that Court Administrators and other staff members are prohibited from providing any legal advice and that no information provided by Court Administrators or other staff members may be construed as legal advice.

**(d) Inquiries to Immigration Court staff.** — Most questions regarding Immigration Court proceedings can be answered through the automated telephone number, known as the Automated Status Query System, or "ASQ." See subsection (c), above. For other questions, telephone inquiries may be made to Immigration Court staff. Collect calls are not accepted.

If a telephone inquiry cannot be answered by Immigration Court staff, the caller may be advised to submit an inquiry in writing, with a copy served on the opposing party. See Appendix A (Immigration Court Addresses).

In addition, Court Administrators and other staff members cannot provide legal advice to parties.

**(e) Inquiries to specific Immigration Judges.** — Callers must bear in mind that Immigration Judges cannot engage in ex parte communications. A party cannot speak about a case with the Immigration Judge when the other party is not present, and all written communications about a case must be served on the opposing party.

**(f) Faxes.** — Immigration Courts generally do not accept inquiries by fax. See Chapter 3.1(a)(vii) (Faxes and e-mail).

**(g) Electronic communications.** —

**(i) Internet.** — The Executive Office for Immigration Review (EOIR) maintains a website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir). See Appendix A (Directory). The website contains information about the Immigration Courts, the Office of the Chief Immigration Judge, the Board of Immigration Appeals, and the other components of EOIR. It also contains newly published regulations, the Board's precedent decisions, and a copy of this manual. See Chapters 1.4(e) (Law Library and Immigration Research Center), 1.6(b) (Library and online resources).

**(ii) E-mail.** — Immigration Courts generally do not accept inquiries by e-mail.

**(h) Emergencies and requests to advance hearing dates.** — If circumstances require urgent action by an Immigration Judge, parties should follow the procedures set forth in Chapters 5.10(b) (Motion to advance) or 8 (Stays), as appropriate.