



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

5107 Leesburg Pike, Suite 2545

Falls Church, Virginia 22041

MEMORANDUM TO: All Assistant Chief Immigration Judges
All Immigration Judges
All Management Officers

FROM: William R. Robie
Chief Immigration Judge

SUBJECT: Operating Policies and Procedures Memorandum
No. 90-5, (1) Applications Which Require
Establishing Good Moral Character; and,
(2) Filing Appeal Briefs in Detained Cases

A. Applications Which Require Establishing Good Moral Character

1. Pursuant to 8 C.F.R. §3.29, Filing Documents and Applications, all applications must be filed with the Office of the Immigration Judge (OIJ) having administrative control over the Record of Proceeding (ROP) and be accompanied by a fee receipt if applicable.
2. In addition to the Immigration Judge's authority contained in 8 C.F.R. §3.29 to set and extend time limits for filing applications, this Operating Policies and Procedures Memorandum provides that where an application is filed by a respondent/applicant that requires establishing good moral character, the Immigration Judge may set and extend time limits for the completion of background investigation(s) or processing of the G-325 by the government.
3. If such an investigation or processing of the G-325 is not completed and the results presented within the time set by the Immigration Judge, good moral character, if established by the respondent/applicant, shall be deemed unopposed.

B. Filing Appeal Briefs in Detained Cases

1. Pursuant to 8 C.F.R. §3.3(c), Notice of Appeal, and §3.36(c), Appeals, appeal briefs may be filed by both parties within a time period(s) set at the discretion of an Immigration Judge.

