Frequently Asked Questions (FAQs) Internet Immigration Information (I³)

In April 2015, the Executive Office for Immigration Review (EOIR) combined external facing Internet applications into the Internet Immigration Information (I³, pronounced I-cubed) suite of products. The I³ suite includes EOIR's electronic registry for attorneys and fully accredited representatives (eRegistry), electronic filing (eFiling), and electronic case information applications (eInfo). A centralized link to these electronic applications is located on the EOIR website homepage, in the "Action Center" next to the I³ symbol. More information on the I³ suite can be found below.

Electronic Registry (eRegistry)

Effective December 10, 2013, EOIR established a mandatory electronic registry for attorneys and fully accredited representatives ("eRegistry"). PRegistry is an online process to collect information that EOIR uses to maintain a centralized information repository of registered attorneys and fully accredited representatives. It is part of a long-term agency initiative to create an electronic case access and filing system for the immigration courts and the Board of Immigration Appeals ("BIA").

All attorneys and fully accredited representatives are required to complete the registry process as a condition to practice before EOIR. Registry applicants must create online profiles and enter certain biographical information. Then, they must appear at an EOIR location to complete the required Department of Justice ("Department" or "DOJ") identification validation process. Thereafter, each registered attorney or registered fully accredited representative ("registrant") receives a unique EOIR ID number. Through eRegistry, EOIR ensures that each registrant is individually identified and associated with the registration information that he or she provided during registration.

At this time, registrants may choose to use eFiling to electronically file Form <u>EOIR-27</u>, Notice of Entry of Appearance as Attorney or Representative, before the BIA and Form <u>EOIR-28</u>, Notice of Entry of Appearance as Attorney or Representative before the immigration courts in some situations.

Q: What is eRegistry?

A: eRegistry is an online process to collect information that EOIR uses to maintain a centralized information repository of registered attorneys and fully accredited representatives. eRegistry is the first step in a long-term initiative to create an electronic case access and filing system within EOIR. Registrants receive an EOIR ID number. In order to be able to practice before an immigration court or the BIA, all attorneys and fully accredited representatives must be registered with EOIR's eRegistry.

¹ The electronic registration requirement does not apply to representatives who appear before EOIR's Office of the Chief Administrative Hearing Officer.

Q: Why should I register with eRegistry?

A: All attorneys and fully accredited representatives must register with eRegistry in order to appear as a representative before the immigration courts or the BIA. eRegistry is part of a long-term plan to create an electronic case access and filing system for the immigration courts and the BIA. With the implementation of eRegistry, registrants are able to electronically file the Form EOIR-27, and the Form EOIR-28 in some situations.

Q: Who is required to register with eRegistry?

A: All attorneys and fully accredited representatives must be registered in order to appear as a representative before EOIR's immigration courts and the BIA. Law students, law graduates, reputable individuals, and accredited foreign government officials are not eligible for eRegistry at this time. In addition, because partially accredited representatives are only permitted to represent individuals before DHS, EOIR is not permitting those individuals to register.

Q: What happens if I do not register?

A: If an attorney or fully accredited representative who has cases pending with EOIR fails to register, EOIR may administratively suspend that individual from practicing before the agency. An attorney or fully accredited representative subject to administrative suspension for this reason can resume practicing before EOIR upon completing the registration process. While administrative suspension, on its own, is not disciplinary in nature, an unregistered attorney or fully accredited representative with multiple attempts to appear before EOIR may face disciplinary sanctions. See <u>8 CFR 1003.101 et seq</u>.

Q: Is it possible to appear in an immigration court if I do not register?

A: An immigration judge may permit an unregistered attorney or unregistered fully accredited representative to appear at one hearing, but this will occur only under rare and extraordinary circumstances. In order to request that an immigration judge allow him or her to appear at a hearing without having registered, the attorney or fully accredited representative must first, on the record, provide the immigration judge with the required registration information. In such circumstances, the attorney or fully accredited representative must complete the registration process without delay after the hearing at which he or she is permitted to appear.

Q: Is it possible to appear before the BIA if I do not register?

A: No.

Q: Who is an attorney for the purposes of eRegistry?

A: EOIR defines an attorney as "any person who is eligible to practice law in and is a member in good standing of the bar of the highest court of any state, possession, territory, or commonwealth of the United States, or of the District of Columbia, and is not under any order suspending, enjoining, restraining, disbarring, or otherwise restricting him in the practice of law." 8 C.F.R. §1001.1(f).

Q: Who is a fully accredited representative for the purposes of eRegistry?

A: A fully accredited representative is a non-attorney who is designated by a recognized organization and who the BIA has accredited to represent individuals before both DHS and

EOIR. All accredited representatives must be affiliated with an organization that has received recognition by the BIA. *See* 8 C.F.R. §§ 1001.1(j), 1292.1(a)(4), and 1292.2(d).

Q: Do partially accredited representatives, law students, law graduates, reputable individuals, or accredited foreign government officials need to register?

A: No. At this time, EOIR is only requiring attorneys and fully accredited representatives to register. Please note that partially accredited representatives, law students, law graduates, reputable individuals, or accredited foreign government officials will not be able to register at this time and should not attempt to do so.

Q: Why aren't partially accredited representatives required to register?

A: At this time, EOIR is only requiring registration for those representatives who are permitted to practice before EOIR's immigration courts and the BIA. Since partially accredited representatives are only permitted to represent individuals before DHS, EOIR is not permitting those individuals to register.

Q: Does a law firm or recognized organization need to register?

A: No. EOIR's regulations provide that individual attorneys or fully accredited representatives, not law firms or recognized organizations, represent individuals. Accordingly, law firms and recognized organizations are not able to register and should not attempt to do so.

Q: When can I register with eRegistry?

A: Attorneys and fully accredited representatives were able to begin registering with eRegistry on June 10, 2013. Attorneys and fully accredited representatives who are not currently registered with eRegistry and who wish to practice before EOIR should register.

Q: How do I register with eRegistry?

A: Registration is a two-step process, which includes online submission of required information and an in-person appearance at an EOIR location to validate the registry applicant's identity to EOIR. Registry applicants are responsible for beginning the first step of the eRegistry process by submitting information online. Registration is complete once EOIR validates the identity of a registry applicant.

Attorneys and fully accredited representatives begin the registration process by selecting their relevant account type, creating a UserId and password, and answering password-related security questions. Next, attorneys and fully accredited representatives follow the on-screen instructions to enter and submit the requested information. After completing their online submission, an attorney or fully accredited representative must appear at an immigration court location or the BIA within 90 days to present photo identification, so that EOIR can verify the registry applicant's identity. Once that step is completed, EOIR will notify the registry applicant that their account has been activated.

• Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process.

Q: What information do I need to provide when registering?

A: Attorneys: EOIR requires that attorneys provide the following information when registering:

- name;
- date of birth;
- business address(es);
- business telephone number(s);
- e-mail address; and
- bar admission information (including bar number, if applicable) for all the jurisdictions in which they are licensed to practice, including those in which they are inactive.

Please note that if an attorney is licensed in a jurisdiction that does not provide bar numbers, he or she will not be required to submit a bar number for that jurisdiction. Attorneys may also enter the name of their business or law firm, though the resulting eRegistry account will be for the individual attorney and not the business or law firm.

<u>Accredited representatives</u>: EOIR requires that fully accredited representatives provide the following information when registering:

- name:
- date of birth;
- name(s) of all the recognized organization(s) with which the representative is fully accredited;
- business address(es);
- business telephone number(s); and
- e-mail address.

Q: What happens after I submit my information?

A: EOIR will process the information and communicate with the registry applicant via e-mail. First, EOIR will send an e-mail to the registry applicant with instructions for the applicant to appear at an immigration court location or the BIA to complete the identity validation process required by DOJ security standards. After the registry applicant successfully completes the identity validation process, EOIR will then send an e-mail notifying the registrant that it has activated their account, and will provide an EOIR ID number.

Q: Why is there a requirement to show government-issued photo identification at a physical immigration court location or the BIA?

A: Registry applicants are required to show government-issued photo identification at a physical EOIR location so that EOIR personnel can complete the individual's identity verification process prior to providing that individual access to a database that contains Personally Identifiable Information (PII). EOIR takes the protection of and access to PII seriously, and requiring a visual in-person identity check is a critical step in safeguarding this information.

Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process.

Q: What information technology security mechanisms does EOIR have in place to protect personal information used in the eRegistry process?

A: Access to eRegistry will be limited to those attorneys and fully accredited representatives who have completed the identity validation step. eRegistry requires all users to enter a UserID and password for each session. Each session will occur on an encrypted connection to protect data during transmission. The database will be stored on a fully secured server created and administered in compliance with the Federal Information Security Management Act of 2002. A user will only have access to their own personal information. In addition, the method of generating and maintaining UserIDs and passwords is one of numerous safeguards EOIR uses to protect PII information. Registrants should contact EOIR immediately at eRegistration.info@usdoj.gov if they suspect their account has been compromised. Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process.

Q: I live and practice in a remote location that is not near any immigration court location or the BIA. Where do I go to verify my identity?

A: All registry applicants are required to appear in person at a physical EOIR location to comply with the identity verification requirement. They may choose any designated EOIR location at which to appear.

Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process.

Q: Why doesn't EOIR allow for identity verification via video teleconference?

A: DOJ Order 2610.2B requires that identity verification be done in person. EOIR has been advised to apply the same standard for this process as is used for government and contractor personnel. Accordingly, in order to meet federal identity verification requirements for permitting electronic access to PII, all registry applicants must appear in person at a designated EOIR location.

Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process.

Q: Are there specific dates and times for practitioners to come for identity verification?

A: In general, the identity verification may be completed at an immigration court location or the BIA during regular filing hours.

Please see http://www.justice.gov/eoir/engage/eRegistration.htm for more information about the photo identification process in general, and please see http://www.justice.gov/eoir/engage/eRegistry/courts-eRegistry.htm for information about identity verification at the immigration courts and the BIA.

The BIA is also performing identity verification. The Clerk's Office is open weekdays from 8:00 a.m. to 4:30 p.m., excluding Federal holidays, to receive filings and to perform identity verification of registrants who have already completed the online registration and received an email notification that their account request has been submitted to EOIR for processing.

Q: Will an online directory of all registered attorneys and fully accredited representatives be publicly available?

A: No. EOIR will not have an online directory of registrants available to the public.

Q: What is the EOIR ID number?

A: The EOIR ID number is a unique identifier given to each registrant. Each registrant is required to include their EOIR ID number when filing a Form <u>EOIR-27</u> or a Form <u>EOIR-28</u>, whether filing electronically or on paper forms.

Q: How long after registering will I have to wait to use the system?

A: After registering, an attorney or fully accredited representative must appear at an EOIR location to present photo identification so that EOIR can verify the registry applicant's identity. Once that step is completed, EOIR will notify the registrant by e-mail that their account has been activated and provide him or her with an EOIR ID number.

Q: After I register, will I be able to file electronic versions of the Form EOIR-27 and the Form EOIR-28?

A: Yes. Attorneys and fully accredited representatives will have the option to electronically file a notice of entry of appearance using either the Form <u>EOIR-27</u> or the Form <u>EOIR-28</u>. If registrants file electronically, they will not need to file paper versions of these forms. Registrants who electronically file the Form <u>EOIR-27</u> or the Form <u>EOIR-28</u> are still required to serve DHS with a printed copy of the completed form. Electronic filing is not mandatory and EOIR will also continue to accept paper submissions of the Form <u>EOIR-27</u> and the Form <u>EOIR-28</u>. At this time, immigration practitioners who are not required to register will not be able to file these forms electronically and must enter their appearances using the paper Form <u>EOIR-27</u> or Form <u>EOIR-27</u>.

Q: Are there any instances where EOIR will not accept an electronic filing of a Form EOIR-27 or Form EOIR-28?

A: Yes.

Form EOIR-27: Attorneys and fully accredited representatives filing the Form EOIR-27 with appeals from the following decisions may not electronically submit the Form EOIR-27 at this time:

- decisions involving fines and penalties, 8 C.F.R. § 1003.1(b)(4); and
- decisions of adjudicating officials in practitioner disciplinary proceedings, <u>8 C.F.R. § 1003.1(b)(13)</u>.

Attorneys and fully accredited representatives filing the Form <u>EOIR-27</u> with appeals from the following decisions should not electronically submit the Form <u>EOIR-27</u> unless the DHS has transferred the record to the BIA:

- appeals from a decision of a DHS officer, 8 C.F.R. § 1003.1(b)(5);
- decisions on denials of advance permission to enter the United States, <u>8 C.F.R. §</u> <u>1003.1(b)(6)</u>; and
- decisions of a DHS district director regarding bond. 8 C.F.R. § 1236.1(d)(3)(ii).

The BIA will reject the electronic submission of the Form <u>EOIR-27</u> for cases that DHS has not transferred the record to the BIA.

Form EOIR-28: Attorneys and accredited representatives filing the Form EOIR-28 in the following situations may not electronically submit the Form EOIR-28 at this time:

- prior to the filing of a Notice to Appear with the immigration court;
- bond redetermination requests made before the filing of a Notice to Appear with the immigration courts;
- motions to reopen, <u>8 C.F.R. § 1003.23</u>;
- motions to reconsider, 8 C.F.R. § 1003.23;
- motions to recalendar proceedings that are administratively closed;
- motions to substitute counsel;
- cases which are pending on appeal before the BIA (a Form<u>EOIR-27</u> should be filed with the BIA);
- cases in which there are more than one open proceeding; and
- disciplinary proceedings, 8 C.F.R. § 1003.106(a)(2)(iii).

Attorneys and fully accredited representatives who electronically file a Form <u>EOIR-28</u> close to a hearing may be required to complete a paper Form <u>EOIR-28</u> at the hearing.

Attorneys and accredited representatives who electronically file a Form <u>EOIR-27</u> or a Form <u>EOIR-28</u> are still required to serve DHS with a printed copy of the completed Form <u>EOIR-27</u> or Form <u>EOIR-28</u>.

Q: Does electronic filing of Form EOIR-27 or Form EOIR-28 notify DHS of my representation of an alien?

A: No. Attorneys and fully accredited representatives who electronically file a Form <u>EOIR-27</u> or Form <u>EOIR-28</u> are still required to serve DHS with a printed copy of the completed Form <u>EOIR-27</u> or Form <u>EOIR-28</u>. They will be able to print a copy of the electronically completed form to meet this requirement.

Q: Will I still need to file with an immigration court a motion to remove myself as the named representative of an alien?

A: Yes. The filing of a Form <u>EOIR-28</u> on behalf of an alien constitutes entrance of appearance for all proceedings, including removal and bond. Once an attorney or fully accredited representative has made an appearance, that individual has an obligation to continue representation until such time as a motion to withdraw or substitute counsel has been granted by an immigration court.

Q: If I have registered with EOIR, can I update or change my address(es) in the eRegistry?

A: Yes. Registrants can add a new address to the eRegistry by logging into their eRegistry account. Please note that adding a new address to eRegistry does not effectuate an address change with the immigration courts or the BIA.

Q: Do I need to file a new Form EOIR-27 or Form EOIR-28 to effectuate an address change with EOIR?

A: Yes. Practitioners are under an obligation to notify the immigration courts and the BIA of any change in their address. EOIR will continue to send all official case-related correspondence to the address included on the most recent Form EOIR-27 or Form EOIR-28 in each of the practitioners' cases. EOIR requires immigration practitioners to submit a separate Form EOIR-27 or Form EOIR-28 for each of their cases to ensure that each case file reflects the most current address.

Q: Can I effectuate an address change with EOIR through eRegistry?

A: Yes. Registrants may change their addresses electronically by completing a two-step process. First, registrants must log in to their eRegistry account and add the new address to their profile. Second, registrants must then electronically file the Form <u>EOIR-27</u> or the Form <u>EOIR-28</u> in each of their cases using the newly added address and checking the "new address" box on the form. As with all submissions of the Form <u>EOIR-27</u> or the Form <u>EOIR-28</u>, registrants are still required to serve DHS with a printed copy of the completed Form <u>EOIR-27</u> or Form <u>EOIR-28</u>.

Registrants should note that adding a new address to their eRegistry profiles will not serve to update their address with the immigration Courts or the BIA unless and until the Form EOIR-27 or the Form EOIR-28 has been filed in each of their cases. Similarly, registrants who choose to file a paper Form EOIR-27 or Form EOIR-28 to update their address with the immigration courts or the BIA, will still need to add that new address to their Registry profile by logging into their eRegistry account and adding the new address to their profile.

In matters in which EOIR does not yet accept electronic filings of the Form <u>EOIR-27</u> or the Form <u>EOIR-28</u>, registrants will need to file paper versions of those forms with the immigration courts or the BIA to complete the address change.

Q: If I file electronically with an immigration court, will I be able to update my client's address electronically?

A: No. The submission of a Form <u>EOIR-28</u> does not update the alien's address in EOIR's records. To update the alien's address, the alien or their representative should submit Form <u>EOIR-33/IC</u>, Alien's Change of Address Form/Immigration Court, to an immigration court. Please see the instructions to the Form <u>EOIR-33/IC</u> for further information.

Q: Do other government entities have access to eRegistry?

A: No. Only EOIR will have access to the information entered through eRegistry. EOIR will, however, continue to share case-related representative information contained in the EOIR case system database with other government entities as allowed by the Privacy Act and the EOIR system of records notice.

Q: Can my paralegal/assistant access my account?

A: While EOIR cannot prevent registrants from sharing their UserIDs and passwords, it should be noted that registered attorneys and registered fully accredited representatives will be held responsible for any and all activity conducted under their account.

Q: Who do I contact for technical assistance?

A: For technical assistance, please contact EOIR at mailto:eRegistration.info@usdoj.gov.

Q: When will I be able to submit motions via an online electronic filing process?

A: At this time, EOIR does not have a process in place to electronically submit motions online, nor does it have a date by which such a process may be implemented.

Q: When will I be able to view my client's Record of Proceedings online?

A: At this time, representatives do not have the ability to review a Record of Proceedings electronically, and EOIR does not have a date by which such a capability might be implemented.

Q: Why did I get an e-mail message from EOIR stating that my eRegistry account has been deactivated?

A: EOIR deactivated your eRegistry account due to the lack of activity on the account for an extended period of time. EOIR sends a 30-day warning via e-mail prior to the deactivation of an account. The 30-day warning e-mail will be sent each time an account is nearing deactivation.

Q: What does it mean to be deactivated?

A: Deactivation means that you will no longer have access to the online functionality of eRegistry. The online functionality of eRegistry accounts becomes inactive after an extended period of time of no account activity. In order to keep your account in active status, please login to your eRegistry account regularly.

Q: Can I still practice before the immigration courts and before the BIA if my eRegistry account has been deactivated?

A: Yes, you can still practice before the immigration courts and the BIA if your eRegistry account has been deactivated. Deactivation means that you will no longer have access to the online functionality of I^3 .

Q: How do I reactivate my eRegistry account?

A: In order to reactivate your account, please send the following information to eRegistration.info@usdoj.gov: (1) your name, (2) date of birth, and (3) the telephone number that is linked to your eRegistry account. Once EOIR has processed your information and reactivated your account, you will receive an email noting that your account has been returned to active status.

Q: I've been using my EOIR ID in EOIR's immigration courts regularly with no problem, why do you have a requirement that there be activity in my online account if I am already active in immigration court?

A: Periodic logins are necessary to preserve the security of eRegistry. It is up to each user to preserve their account.

Q: Once I have my EOIR ID I can practice in immigration courts or before the BIA and submit paper filings, so why should I bother with an online account?

A: Registration in eRegistry is a mandatory requirement to practice before EOIR's immigration courts and the BIA. Further, eRegistry is part of a broader plan concerning electronic case access and filing for the immigration courts and the BIA. Currently, registrants are able to electronically file the Form EOIR-27 and the Form EOIR-28 in some situations and using eInfo view case related information online that is similar to that available by telephone via the Automated Case Information Hotline (previously known as the "1-800 phone number").

Q: I've changed law firms or mailing addresses, but the old address is still listed. Why can't I delete my old address?

A: Updating an address in eRegistry does not automatically update previously filed forms. However, eRegistration users are now able to modify or remove existing addresses associated with an account. Please go to the User Profile screen where each address entered now has links that permit users to modify or remove an address. Users are permitted to have more than one address. Please take care to choose the correct address when filing a Form EOIR-27 or Form EOIR-28 through I³.

Q: My mail has been sent to the wrong mailing address, what can you or I do about that?

A: Please check to see that you have properly updated the address information for each of your cases pending before the immigration courts and/or the BIA. Updating your account information in eRegistry does not automatically update the address associated with your client files at EOIR. You must submit a new Form EOIR-27 or Form EOIR-28 with your updated address information for each of your pending cases. Please also verify that your mailing address in eRegistry is correct. If it is correct, please contact the sending office. If it is not correct, please add the correct address.

Q: What web browser should I use to view the eRegistration application? Can I use my mobile device?

A: The eRegistration application may be accessed using Internet Explorer (i.e., v8.0 or higher) and Firefox (two most current versions) web browsers. Please note, eRegistry is not optimized for mobile device usage.

Q: I want a different e-mail address associated with my eRegistry account, how can I change it?

A: To update your eRegistry account e-mail address, please follow the steps below:

- 1. Go to the eRegistry website (https://portal.eoir.justice.gov)
- 2. Log into the system by clicking the Login link
- 3. Click "User Profile Management" link
- 4. On the User Profile page, click the "Edit" link in the User Information section
- 5. Update your e-mail address; and
- 6. Click the "Save" button.

Please note, these directions relate to the personal account e-mail address and will be the one which EOIR will use to relay account information to you. This is separate from the "profile" e-mail address you will have for each firm affiliation.

Q: I practice in multiple locations, so can I have more than one physical mailing address? How do I add a second address?

A: Yes, multiple addresses are allowed in eRegistry. To add a new profile address, please follow the steps below:

- 1. Go to the eRegistry website (https://portal.eoir.justice.gov)
- 2. Log into the system by clicking the Login link
- 3. Click "User Profile Management" link
- 4. On the User Profile page, click "Add New Firm" link in the Firm Affiliation(s) section (for attorney), or click "Add New Organization" link in the Organization Affiliation(s) section (for fully accredited representative)
- 5. Enter your additional address information
- 6. Click the "Save" button.

Q: I'm trying to electronically file a Form EOIR-27 or Form EOIR-28, but all I see on the eRegistry website is "password maintenance." What do I need to do to electronically file my forms? Where is the link?

A: In order to get to the applications that allow you to electronically file a Form <u>EOIR-27</u>, Form <u>EOIR-28</u> or to add personal information you must first set up your password security questions. To set up those questions, use the password maintenance link. Once you have set up your password questions you will be able to see multiple applications: "eInfo"; "File Electronic Forms"; "Password Maintenance"; and "User Profile Maintenance." Please follow the steps below.

- 1. Visit the EOIR website: https://portal.eoir.justice.gov
- 2. Click the "Accept" button
- 3. Click the "Login" link on the right hand side of the screen
- 4. Enter your User ID/Password on the Login screen
- 5. Click the "Password Maintenance" link, which should be the only main link displayed on the page
- 6. Click the "Next" button on the new page
- 7. Enter your current password
- 8. Provide answers to three questions, click the "Next" button
- 9. On the next screen, provide answers to three questions; click the "Next" button
- 10. Click "Finish." You may see a popup window prompt you to confirm to close the window if so, click "Yes." The window closes.
- 11. Click "Log Off" on the next window
- 12. Click "here" in the "Click here to login again" window
- 13. Enter your User ID/Password on the login screen
- 14. With the successful login, you should be able to see links to multiple applications: "eInfo," "File Electronic Forms," "Password Maintenance," and "User Profile Maintenance"
- 15. Select the "File Electronic Forms" link to file your <u>EOIR-27</u> or <u>EOIR-28</u> electronically.

Q: I have recently legally changed my name. What do I need to do to change my name in eRegistry?

A: If you have an account under one name but have, since registering, legally changed your name, please mail directly to EOIR a certified copy of the name change order. EOIR staff will contact you via e-mail once your certified name change order has been received and processed. Please use the below mailing address:

U.S. Department of Justice Executive Office for Immigration Review Office of Legislative and Public Affairs 5107 Leesburg Pike, Suite 1902 Falls Church, VA 20530

Electronic Filing (eFiling)

Q: What forms or documents can I electronically file with EOIR at this time?

A: Currently, registrants are able to electronically file the Form <u>EOIR-27</u> and the Form <u>EOIR-28</u> in some situations.

Q: When will other forms be added to the eFiling system?

A: This is an ongoing effort. As time and resources allow, EOIR will add additional forms for electronic filing.

Q: I heard that you already have an electronic filing pilot run by the Office of the Chief Administrative Hearing Officer (OCAHO). Can you provide more information on that? A: OCAHO's eFiling pilot program enables parties meeting the eligibility requirements to file and receive OCAHO case-related documents by email in Immigration and Nationality Act (INA) § 274A (employer sanctions), INA § 274B (immigration-related unfair employment practices) and INA § 274C (document fraud) cases.

Once a case has been assigned to an OCAHO Administrative Law Judge (ALJ), and the answer has been filed, the parties will receive a letter from the ALJ offering them the opportunity to participate in the pilot project. To be accepted into and use the pilot project's email filing process, both parties must agree to participate in the pilot, and must submit the registration and certification form. Once the case is accepted into the pilot project, the ALJ will issue an Order Directing Parties to File Case Documents by Email. All future pleadings and orders in the case must then be filed and served via email. OCAHO plans to use the information gleaned from the pilot program to develop a permanent, online, web-based e-filing program.

Q: How is the OCAHO e-filing pilot program separate and distinct from EOIR's eRegistry?

A: OCAHO's electronic filing (e-filing) pilot program is independent from EOIR's eRegistry and the filing of Forms EOIR-27 and EOIR-28. OCAHO's e-filing pilot enables parties (who have registered and certified with OCAHO) to file and receive OCAHO case-related documents by email. OCAHO's pilot program is not an online, web-based system. Instead, for those cases enrolled in OCAHO's e-filing pilot program, filings with OCAHO, service of pleadings on other

parties and receipt of court orders are accomplished by email. OCAHO is conducting this pilot to streamline the submission and receipt of case-related documents for parties and reduce the time and expense incurred with paper filings.

Electronic Case Information (eInfo)

Q: What is eInfo?

A: The Electronic Case Information application (eInfo) is a web-based application that allows registered attorneys and fully accredited representatives to view their clients' case information. The information provided by the eInfo application is similar to that which is currently available by telephone via the Automated Case Information Hotline (previously known as the "1-800 phone number").

Q: Will I be able to see all of my cases?

A: Attorneys and fully accredited representatives who have registered and received an EOIR ID will be able to view their client's case information for all of their cases for which they have entered an appearance (Form EOIR-27 or Form EOIR-28) using their EOIR ID number. For cases that a user has linked to their EOIR ID, the information provided by the eInfo application will be similar to the information provided by the Automated Case Information Hotline for those cases. Registered attorneys and fully accredited representatives will not be able to view cases that are not linked to EOIR ID numbers unless they submit an updated Form EOIR-27 or Form EOIR-28 containing their EOIR ID for these cases. Provided that the case is associated with the EOIR ID, both primary and secondary attorneys and representatives will be able to view their cases, and cases that are at both the immigration courts and BIA will be included.

Q: How is the available information the same as what is currently available by telephone via the Automated Case Information Hotline (previously known as the "1-800 phone number")?

A: Like the Automated Case Information Hotline, the eInfo application provides information on future hearings, case processing information for asylum applications, ² decision information, and case appeals information. The decision information includes immigration judge decisions as well as case appeal decisions and decisions on Motions to Reopen (immigration courts or BIA jurisdiction). For future hearings, the date, time, type of hearing, hearing location and name of the immigration judge are provided.

Q: How is the available information different from what is currently available by telephone via the Automated Case Information Hotline (previously known as the "1-800 phone number")?

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² Specifically, the eInfo application shows the number of days elapsed since the alien filed an asylum application, excluding any delays requested or caused by the alien. Please note that when adjudicating employment authorization applications, U.S. Citizenship and Immigration Services calculates the 180-day Asylum EAD Clock, which measures eligibility for employment authorization for asylum applicants. The number of days on the 180-day Asylum EAD Clock may be different from the number shown on this screen. For information on the calculation of employment authorization eligibility, please refer to the 180-day Asylum EAD Clock Notice, available at www.uscis.gov or at an immigration court clerk's window.

A: The main difference between the eInfo application and the Automated Case Information Hotline is that eInfo, for a given case, provides information on all proceedings, not just the latest proceeding. For example, if there was a change of venue, that information is given on the prior proceeding, as well as the current proceeding. If there are multiple case appeals, every case appeal decision is provided, whereas the Automated Case Information Hotline only gives information on the latest case appeal. The same is true for motions to reopen. In addition, if the same alien has had multiple charging documents, the Automated Case Information Hotline only provides information on the case with the most recent charging document. In contrast, with certain restrictions, the eInfo application will provide information on past cases as well as long as those past cases have been associated with the user's EOIR ID.

One improvement to the eInfo application over the Automated Case Information Hotline is that only the registered attorney or fully accredited representative can see a list of their clients associated with their EOIR ID number. The list can be searched by the client's name as well as by alien registration number. The list is also sortable and can be filtered by case status ("Pending," "Complete," or "All"). eInfo also contains a calendar function. However, unlike the Automated Case Information Hotline, eInfo provides information in English, whereas the Automated Case Information Hotline provides information in either English or Spanish.

Q: What information will be available on the calendar function?

A: The calendar function shows future immigration court hearings for the registered attorney or fully accredited representatives' clients (individuals for which the attorney or representative has filed an appropriate Form EOIR-28 and with which the attorney or representative has associated their EOIR ID number). The calendar will show either a monthly, weekly, or a daily view. The immigration court hearing information provided is the same as what the Automated Case Information Hotline provides: the date, time, type of hearing, hearing location, and immigration judge. While the Automated Case Information Hotline can only provide this information for a single alien at a time, eInfo's calendar view gives the opportunity to see all hearings for a given day, week, or month. If there are multiple clients for a single hearing, they will be grouped together in one block. If the attorney or fully accredited representative has immigration court hearings at different hearing locations, the calendar can be filtered to show all hearings, or only one hearing location at a time.

Q: When I am on the calendar screen, I clicked on last month and I do not see any hearings, even though my clients had several hearings last month, why is this?

A: The calendar function only shows future hearings, so past hearings are no longer viewable on the calendar.

Q: In the "My Cases" screen, I see that cases at the BIA exist for a given entry on the list, but when I click on the details I do not see any appeals. Why not?

A: In the Case Details screen, the information on the top of the screen is for the current, or most recent, proceeding. Scroll down to the "Proceeding Information" section, and click on the "Details" button for each prior proceeding. It is likely that the appeal at the BIA exists for an earlier proceeding.

Q: I saw one of my cases on the "My Cases" screen, however it is no longer there, why do I no longer see the case?

A: The "My Cases" screen, by default, only shows pending cases. If the immigration judge has issued a decision and your case is completed, it would not appear in the default setting. If you would like to see completed cases or all cases you should click on the button to filter cases as either "Completed" or "All".

Q: I do not see all of my cases, why not?

A: You must first associate your cases with your EOIR ID by filing a Form EOIR-27 or Form EOIR-28 in order to be able to access the case information through the eInfo application. If you have not associated the case with your EOIR ID, you will not be able to see any case related information.

Q: I still have questions, where can I get help?

A: For assistance regarding the eRegistry, eFiling, and eInfo applications, please contact EOIR at <u>eRegistration.Info@usdoj.gov</u>.