

ECAS USER MANUAL

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This manual explains the procedures for electronic filing through EOIR's Courts & Appeals System (ECAS). For more information, please visit: <https://www.justice.gov/eoir/ECAS>. Users must adhere to the following procedures and technical filing requirements. If any procedures are not specifically listed here, users should follow the instructions contained within the [EOIR Reference Materials](#).

(1) Users and Registration

(a) Users. DHS and all attorneys and accredited representatives of record are required to electronically file all documents with the immigration courts or the Board of Immigration Appeals (BIA) through ECAS in all cases eligible for electronic filing, subject to the exceptions in paragraph (d) below. Pro se respondents may electronically file the Form EOIR-33, Change of Address/Phone Number, through the EOIR Respondent Access portal.

(b) Registration. To electronically file through Case Portal, non-DHS users must:

- (i) register with EOIR through eRegistry;
- (ii) log in to the Case Portal system; and
- (iii) accept the [Terms and Conditions](#) for electronic filing.

Once a user accepts the Terms and Conditions, Case Portal will display a list of cases for which the user has filed a Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court (Form EOIR-28), or Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals (Form EOIR-27). The upload button for each case eligible for electronic filing will be active within the Case Portal.

(c) Electronic Filing Eligible Cases. All cases initiated at an immigration court after the establishment of ECAS at that immigration court or any case before an immigration court or the BIA with an electronic record of proceeding (eROP) are eligible for electronic filing. *See* 8 C.F.R. § 1001.1(cc). As a general matter, cases that predate the ECAS rollout in the assigned immigration court and that have a paper ROP will remain in paper and not be available for electronic filing because there is not an eROP. However, the court or BIA may also choose to scan existing paper ROPs to create eROPs. Users can determine which of their cases are eligible for electronic filing by viewing their cases and looking for an active upload button.

(d) Exceptions to Mandatory Electronic Filing. The following documents must continue to be paper-filed with the immigration courts or BIA in all cases:

- (i) Sealed medical records
- (ii) Documents that contain classified information.

In addition, until further ECAS system updates are completed, the following documents must continue to be paper-filed in all cases:

- (i) A motion to recalendar with an accompanying Form EOIR-28;
- (ii) Any documents related to the appeal/motions of DHS Officer Decisions; and
- (iii) Documents subject to a Protective Order issued by an immigration judge, when filed with the BIA, or an appeal from an immigration judge's denial of a DHS motion for Protective Order.

(e) Misuse. EOIR reserves the right to refer a user to EOIR's Disciplinary Counsel, anti-fraud officer, or other appropriate parties when there may be a violation of these procedures, or the EOIR Rules of Professional Conduct (8 C.F.R. § 1003.102), or when fraudulent activity is suspected.

(2) Electronic Filing

(a) Case Portal and DHS Portal. To file documents electronically in eligible cases, users must use the Case Portal application. Authorized DHS users are also able to electronically file documents through the DHS Portal. Pro se respondents may electronically file the Form EOIR-33, Change of Address/Phone Number, through the EOIR Respondent Access portal.

(b) Format of Electronic Filings.

(i) Documents must be 25MB or less. Documents larger than 25MB must be split into multiple files and uploaded separately. If a submission includes multiple files, each document name should be numbered indicating the part and order of the submission (e.g., Johnson_Brief_Part1, Johnson_Brief_Part2).

(ii) Only PDF, JPG, and JPEG files are allowed. PDF files are preferred. JPG and JPEG files should be limited to submissions that cannot be submitted in PDF, such as photographs.

(iii) Documents must have page numbers.

(iv) The resolution for scanned documents must be at least 300 DPI (dots per inch). Users should use a reasonable resolution that minimizes file size while still providing clear readability.

(v) Separate submissions cannot be combined into a single file (i.e., do not combine submissions for different document types from the dropdown into one uploaded file) and should be separated based on the upload categories in the Case Portal and DHS Portal, except as discussed at subparagraph (ix) below. For example, if a user wants to file an asylum application, a supporting brief, and country conditions documentation, the user should separately file: (1) the application; (2) then the brief; and (3) then the country conditions evidence.

(vi) No compound motions are allowed. Each motion must be a separate submission.

(vii) Bond proceedings are separate and apart from removal proceedings. 8 C.F.R. § 1003.19(d). Bond redetermination requests and any supporting documents must be uploaded separately and should not be uploaded within a removal proceeding as a motion or other filing.

(viii) Proposed orders are not required with any electronic filings, unless requested by the immigration judge.

(ix) Notwithstanding subparagraph (v) above, fee receipts may be appended to the end of the relevant application or document when uploading.

(x) Documents must include certificates of service, even if service is completed through ECAS. The certificate of service should state, for example, “This document was electronically filed through ECAS and both parties are participating in ECAS. Therefore, no separate service was completed.” For more information on service of process, see section (4) below.

(xi) Documents should be in portrait or landscape layout sized 8.5 x 11 inches.

(c) Filing Requirements.

(i) Classified Information. **Never** electronically file classified information. Please contact the court for more information before seeking to paper file any classified information with the immigration court. Please also see [OPPM 09-01, Classified Information in Immigration Court Proceedings](#). Please contact the BIA for more information before seeking to paper file any classified information with the BIA.

(ii) Sealed Medical Documents. Never electronically file sealed medical documents. Such documents should be filed in paper with the immigration court or the BIA. The court or the BIA will then open the sealed documents and add them to the eROP.

(iii) Originals. Parties must make the originals of all filed documents available upon request to the immigration court, BIA, or the opposing party for review.

(iv) Leads and Riders. If a user wishes to file a document in a lead eROP as well as in any associated rider eROPs, the user must file the document in each eROP separately or follow the filing prompts in the Case Portal to attach any lead eROP filings to the relevant rider eROPs.

(v) Page Separators. When filing paper documents with an immigration court or the BIA, parties are encouraged to use paper separators (i.e., a piece of paper with “Tab A” printed on it) instead of indexing tabs. This allows the immigration court or the BIA to more easily scan the documents into the eROP.

(d) Signatures. All electronically filed documents that require a signature must have an original, handwritten ink signature, an encrypted digital signature, or an electronic signature. A user who is logged in and electronically filing through ECAS may also use a conformed signature wherever their personal signature is required. CONFORMED SIGNATURE EXAMPLE: /S/ John Doe.

However, any application that is submitted must further comply with the applicable application's signature instructions. For example, if an application specifically requires a handwritten ink signature, then those instructions control.

(e) Filing Deadlines. All filings must meet applicable filing deadlines, subject to any system outage issues as described below.

(i) Planned Outages. For planned system outages, parties must electronically file documents during system availability within the applicable filing deadline or paper file documents within the applicable filing deadline. EOIR will issue public communications for planned system outages ahead of the scheduled outage. Any planned system outage announced five or fewer business days prior to the start of the outage will be treated as an unplanned outage. If a party is paper filing a document due to a planned system outage, the party should reference the outage in their filing.

(ii) Unplanned Outages. If EOIR's electronic filing application is unavailable due to an unplanned system outage on the last day for filing in a specific case, then the filing deadline will be extended to the first day that the electronic filing application becomes accessible that is not a Saturday, Sunday, or federally recognized legal holiday. EOIR maintains sole discretion to determine whether an unplanned outage occurred. EOIR will maintain an online log of EOIR ECAS Outages that will be publicly available.

(f) Filing Process. Users may only file supporting documents, such as applications, briefs, or evidence, after the charging document or bond redetermination request has been filed, accepted and docketed by EOIR, and EOIR court staff or BIA staff have created the eROP for the case. Once the user successfully uploads the document to EOIR, the document enters an intake queue for the court or the BIA, which acts as a virtual "filing window." The court or the BIA reviews the document and either accepts the document into the official eROP or rejects the document.

(g) Timing of Filings. An electronic filing that is accepted by an immigration court or the BIA will be deemed filed on the date it was successfully uploaded. *See* 8 C.F.R. § 1001.1(dd). A successful upload means the document was uploaded through the Case Portal or DHS Portal without error. Documents are automatically watermarked and date stamped upon successful upload. To be considered timely, documents must be successfully uploaded before midnight on the filing deadline date in the time zone of the court location or the BIA. A filing that is rejected by an immigration court or the BIA will not be deemed filed on the date it was uploaded.

(h) Accepted Filings. After the court or the BIA reviews the document and accepts it, the document is placed in the official eROP. The user will receive an email confirming official acceptance into the eROP.

(i) Rejected Filings. If the court or the BIA reviews the document and rejects it, the user will receive an email with a rejection notice indicating the reason for the rejection. The user must correct the issue and refile the document. Users are highly encouraged to electronically file their documents as soon as possible so that any documents that need to be refiled meet all applicable filing deadlines. However, if a request for a fee waiver is denied, the immigration judge or BIA will provide 15 days to refile the underlying application or document for which the fee waiver was requested with the filing fee or new fee waiver request and will toll any applicable filing deadline during the 15-day cure period. Users should reference the denial and tolling in any relevant re-filings.

(3) Three-Step Filing Process:

Filing is a three-step process. You have not completed the filing process for a document until you have:

- (1) Uploaded the document in accordance with the Filing Requirements above,
- (2) Received an email from EOIR confirming successful upload of the document(s), and
- (3) Received an email from EOIR confirming official inclusion of the document into the electronic record of proceeding (eROP).

Confirmation emails will be sent from EOIR with the domain @usdoj.gov, so you may need to check your spam folder and designate that domain as an approved sender. Emails filtered to a spam folder by the recipient's provided email address are still regarded as having been delivered or served.

Note: If you file a document for the wrong A-number or you file an incorrect document, you must promptly notify the court with administrative control over the case or the BIA via telephone or in person upon discovery of a misfiled or incorrect submission. The document will not be considered filed for the correct case until it is actually filed for the correct case and the user receives a confirmation email from EOIR indicating its inclusion into the correct eROP.

(4) Service of Process

(a) Service. The requirement to separately serve documents on the opposing party depends on whether both parties are participating in ECAS, as explained below.

(i) ECAS Completes Service. If all parties are using ECAS in a case eligible for electronic filing, the parties do not need to separately serve any electronically filed documents on the opposing party. Rather, the ECAS system will automatically send service notifications to both parties that a new document has been filed. For purposes of ECAS service, DHS personnel, attorneys, and accredited representatives are always considered to be participating in ECAS. The parties must continue to include a certificate of service with their electronic filing, but simply note in the certificate that service was completed through ECAS as detailed in Section 2(b)(x) above.

(ii) *Separate Service Required.* If one or more parties is not using ECAS in a case eligible for electronic filing, then the parties must complete service separately outside of the ECAS system. If separate service is required, filers may serve DHS electronically through the DHS eService portal (register at <https://eserviceregistration.ice.gov/>) or via mail. The addresses for ICE Office of the Principal Legal Advisor (OPLA) Field Locations where service must be made are available online at www.ice.gov/contact/legal.

For questions regarding the separate service procedures, please see Chapters 3.2 of the [Immigration Court Practice Manual](#) or the [Board of Immigration Appeals Practice Manual](#).

(b) *Service of EOIR-Generated Documents.* For ECAS users, notices, orders, and decisions issued by the immigration courts or the BIA will only be served electronically. Users must provide a valid email address in ECAS and on his or her Notice of Entry of Appearance (Form EOIR-27 or EOIR-28) at which to receive service. The user must immediately update his or her email address within ECAS and file a new EOIR-27 or EOIR-28 with the updated address if his or her email address changes. A user who provides an invalid email address waives service. Decisions and orders issued by EOIR that contain Personally Identifiable Information (PII) will be encrypted by EOIR before emailing them to parties. Instructions on decrypting EOIR emails is located [here](#).

(5) Viewing the eROP

(a) *Access.* All representatives with access to the Case Portal may view and download available eROPs for those cases in which they have submitted a Notice of Entry of Appearance (Form EOIR-27 or EOIR-28). Registered attorneys and accredited representatives may view all cases in which they have an accepted Form EOIR-27 or Form EOIR-28 on file for that case until 180 days after a case is closed or an appeal for the case is pending for which the representative does not have an EOIR-27 filed. Authorized DHS users have the ability to view and download eROP documents within the DHS Portal.

(b) *Download Procedures.* To view and download individual documents within an eROP, the user must select the relevant document from the eROP. The document will then be displayed for viewing and downloading. To download a copy of the entire eROP, the user must select the “Download eROP” button for the relevant eROP. Once the eROP is ready for download, it will only be available for 24 hours. The download consists of one consolidated PDF file containing all of the files that have been accepted into the official record of proceeding. Each unique eROP (e.g., bond, merits) that falls under an A-Number is available for download in separate PDF files.

(c) *Sensitive eROPs.* Users will receive a warning if the eROP contains sensitive documents. Users must follow all orders from the immigration court or the BIA regarding the dissemination of information contained in the sensitive documents or eROP.

(d) *Pre-representation eROP Viewing.* If a representative wishes to view an eROP for a case in which he or she has not filed a Notice of Entry of Appearance (Form EOIR-27 or EOIR-28), he or she should make a [FOIA request with EOIR](#). Requests for information about a person other than the requester require proper authorization allowing release of the information. If you are seeking non-public information regarding a person that is not you or a person you represent, the FOIA

Service Center recommends having the person who is the subject of the request complete and sign a [Form EOIR-59](#) for this purpose. Please see Chapter 12 of the [Immigration Court Practice Manual](#) or Chapter 13 of the [Board of Immigration Appeals Practice Manual](#) for more information.