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## GENERAL INSTRUCTIONS

### Please read carefully before completing and submitting Form EOIR-31A

#### A. When to submit a Form EOIR-31A:

- Organizations must use this form (Form EOIR-31A) to request new accreditation or renewal of accreditation for a non-attorney representative to provide immigration legal services on behalf of the organization's clients before the EOIR (i.e., the Immigration Courts and the Board of Immigration Appeals (BIA)) and the Department of Homeland Security (DHS), or before DHS only.
- For renewal of accreditation, an organization must submit this form (Form EOIR-31A) on or before the expiration date of the individual's accreditation. Accreditation is valid for a period of 3 years from the date of approval. A representative's accreditation may remain valid pending OLAP's determination on the request to renew accreditation, provided the request for renewal is received on or before the expiration date.
- A separate request for accreditation (Form EOIR-31A) must be submitted for each proposed representative.
- Organizations must use a different form, Form EOIR-31, to request recognition as a non-profit religious, charitable, social service, or similar organization approved to designate a representative or representatives to provide immigration legal services on behalf of its clients before EOIR and DHS, or before DHS only.

#### B. Where to submit a Form EOIR-31A:

R&A Coordinator  
Office of Legal Access Programs  
Executive Office for Immigration Review  
5107 Leesburg Pike, Suite 1900  
Falls Church, VA 22041

#### C. How to request accreditation of a representative using Form EOIR-31A:

##### Part 1.

- Provide the organization's complete name, including any other names under which it is doing business or that it previously used to request recognition or accreditation. Also, provide the organization's contact information. The organization's street address must be provided; a post office box number is not acceptable.
- Only an organization simultaneously requesting new recognition or renewing recognition, or an organization that has already received recognition, may request accreditation for an individual. Check the appropriate box on the form. If currently recognized, provide the date of the organization's last approval of recognition.

## C. How to request accreditation of a representative using Form EOIR-31A (continued):

### Part 2.

- Provide the name of the proposed representative and any other names this individual is known by or has ever been known by.
- Indicate whether the individual has been previously accredited *with a different recognized organization*. If so, list the name(s) of the other recognized organization(s) for which the individual serves or has served as an accredited representative and the date(s) of last approval of accreditation. Attach additional sheets of paper, if necessary.

### Part 3.

- Check the type of accreditation (partial or full) sought for this individual. Full accreditation authorizes a representative to appear on behalf of clients before DHS, the Immigration Courts and the BIA. Partial accreditation authorizes a representative to appear on behalf of clients before DHS only.

### Part 4.

- **Subsection A.** Eligibility for accreditation requires the character and fitness to represent clients in immigration matters before DHS, or the Immigration Courts and the BIA, or all three immigration agencies. Provide documentation to show that the individual possesses the required character and fitness, such as character references from professionals in the community, employment references, and criminal background checks.
- **Subsection B.** Provide documentation to demonstrate that the individual possesses broad knowledge and adequate experience in immigration and nationality law, practice, and procedure. Include a resume or description of the individual's qualifications, including education and immigration law experience. Eligibility for initial accreditation, whether partial or full, requires letters of recommendation from at least two persons familiar with the individual's qualifications and at least one formal training course designed to give new practitioners a solid overview of the fundamentals of immigration law, practice, and procedure. Additional formal training courses in specific topics of immigration law and/or practical experience is highly recommended. Information regarding formal legal training includes (at a minimum) the title of the training, the provider's name, date(s) and duration of the training, the names and titles of presenters, the topics covered, whether the training was attended in person or through other means, and whether the training was open to the public. Provide certificates of completion and the results of any tests taken during training, if available.
- **Subsection C.** Eligibility for full accreditation requires – in addition to the above requirements – formal training courses, education, and/or experience showing oral and written trial and appellate advocacy skills. If the requirements for full accreditation are not met, only partial accreditation may be approved.
- **Subsection D.** To be accredited, the proposed representative must: (1) be an employee or volunteer of the organization; (2) not be a licensed attorney in the United States; (3) not have resigned while a disciplinary investigation or proceeding is pending, (4) not be subject to any order disbaring, suspending, enjoining, restraining, or otherwise restricting him or her in the practice of law or representation before a court or any administrative agency; and (5) not have been convicted of a serious crime anywhere in the world. The

proposed representative and authorized officer must attest in Part 6 of the form that the applicant for accreditation meets these eligibility requirements.

### C. How to request accreditation of a representative using Form EOIR-31A (continued):

#### Part 5.

Complete this part only if seeking to renew an individual's accreditation.

- **Subsection A.** Provide the date of the last approval of accreditation of the individual for the organization requesting renewal.
- **Subsection B.** Check the box **only** if the organization is seeking to change the individual's accreditation type from partial to full accreditation or from full to partial accreditation. If seeking full accreditation, provide documentation required in Part 4.C.
- **Subsection C.** Completion of the form is an attestation from the organization and representative that the accredited representative continues to have the character and fitness to represent others before immigration agencies and that the representative meets the requirements set forth in Part 4.D. The organization may submit character reference letters and other supporting documentation to demonstrate the accredited representative's continuing character and fitness.
- **Subsection D.** Eligibility for renewal of accreditation, whether partial or full, requires a showing of continuing knowledge of immigration law, procedure and practical experience. Provide the requested information, including an updated resume, evidence of recent education and formal trainings completed, and types of cases personally handled before immigration agencies during the last approved period of accreditation. Updated letters of recommendation in support of the representative's qualifications, or other documentation demonstrating the representative's eligibility are also encouraged.

### D. Who must verify the contents of Form EOIR-31A:

#### Part 6.

- **Authorized officer** of the requesting organization, such as the President, Executive Director or an officer of the organization, who has been designated to act on behalf of the organization in recognition and accreditation matters, must verify the contents of this form. By signing the form under penalty of perjury, the authorized officer affirms that the form and its attachments are true, correct, and complete. The authorized officer must also attest that the proposed representative is an employee or volunteer of the organization and that to the best of his or her knowledge and belief, the proposed representative meets the qualifications for accreditation. A proposed representative may *not* request accreditation for himself or herself, unless he or she is also an authorized officer of the requesting organization.
- **Proposed representative** must affirm that the form and its attachments regarding his or her qualifications for accreditation are true, correct, and complete. The proposed representative must also attest that he or she: has the character and fitness required to represent others before federal immigration agencies; is an employee or volunteer of the organization requesting accreditation; is not a licensed attorney in the United States; has not resigned while a disciplinary investigation or proceeding is pending; is not subject to any order restricting his or her practice of law; and has not been convicted of a serious crime in or outside the jurisdiction of the United States.

## **E. Who must be sent a copy of Form EOIR-31A and its attachments:**

### **Part 7.**

- The organization must send an exact copy of the form and its attachments to the District Director of the U.S. Citizenship and Immigration Services (USCIS) where the organization's headquarters is located or where it intends to offer immigration legal services. If the organization has office locations for which it is seeking extension of recognition or for which it has received extension of recognition that are outside the USCIS district of the organization's headquarters, the organization must send an exact copy of the form and its attachments to the USCIS District Director(s) covered by those locations.
- For a request for renewal of accreditation, an exact copy of the form and its attachments must also be sent to the USCIS District Director in the jurisdiction where the proposed representative regularly represents clients, if not already served according to the above instruction.
- Complete and sign the "proof of service." The proof of service is the organization's formal guarantee that copies of this form and its attachments have been sent to the appropriate USCIS office(s). Every filing – whether the recognition or accreditation request, additional supporting documents, or other submission to OLAP – must clearly contain a proof of service to the District Director of USCIS in the jurisdiction where the organization is located and, if offering or intending to offer immigration legal services in a different USCIS district, to that USCIS office. To identify the appropriate USCIS offices, the organization should consult the USCIS website (<http://www.uscis.gov/about-us/find-uscis-office>) or a local DHS office.

## **F. Paperwork Reduction Act.**

- Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. In accordance with the Act, EOIR tries to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you. The estimated average time to review the form, gather necessary materials, and assemble the attachments is 2 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

## **G. Privacy Act Notice.**

- The collection of this information is authorized by 8 U.S.C. §§ 1103, 1229a, 1362 and 8 C.F.R. §§ 1292.11-19 in order to request accreditation of an individual to represent persons before the BIA, Immigration Courts, and/or DHS. The information you provide to obtain accreditation is voluntary and will be used by EOIR employees to assess eligibility for accreditation; however, failure to provide the requested information may preclude consideration of your request. Pursuant to the Privacy Act, EOIR may share the information provided with this form with others in accordance with approved routine uses. Furthermore, the submission of this form acknowledges that an approved applicant will be subject to the disciplinary rules and procedures at 8 C.F.R. 1003.101, *et seq.*, including, pursuant to 8 C.F.R. §§ 292.3(h)(3) and 1003.108(c), allowing for the publication of the approved applicant's name and findings of misconduct should the applicant be subject to public discipline.

### Part 1. Organization Seeking Accreditation of Representative

Organization Name \_\_\_\_\_

Other Name(s) \_\_\_\_\_ Name(s) previously applied under \_\_\_\_\_

Number and Street \_\_\_\_\_ Suite \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Website \_\_\_\_\_

Check one:

Organization is *not* recognized and a Request for Recognition of a Non-Profit Religious, Charitable, Social Service or Similar Organization (Form EOIR-31) accompanies this request.

Organization is recognized. Date of last approval of recognition \_\_\_\_\_ (Month/Day/Year)

### Part 2. Name of Proposed Representative

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

Other names used \_\_\_\_\_

Has this individual been previously accredited with a different recognized organization  No  Yes

If "yes," list name(s) of other recognized organizations for which individual serves or has served as an accredited representative and the date(s) of last approval of accreditation (attach additional sheets of paper, if necessary):

Name of other organization(s) \_\_\_\_\_

Date(s) of last approval of accreditation \_\_\_\_\_ (Month/Day/Year)

### Part 3. Type of Accreditation Sought (check one)

Full (practice before BIA, Immigration Courts, and DHS)

*Or*

Partial (practice before DHS only)

## Part 4. Qualifications for Accreditation (if seeking renewal of accreditation, go to Part 5.)

- A. Character and fitness. Attach character reference letter(s) and other supporting documentation (see instructions for details).
- B. Provide documentation of the proposed representative's broad knowledge and adequate experience in immigration law, practice, and procedure as provided in the instructions.
- C. If seeking full accreditation, provide documentation demonstrating that the proposed representative possesses the skills essential for effective litigation as provided in the instructions.
- D. The proposed representative must be:
- An employee or volunteer of the organization.
  - **Not** a licensed attorney of any state, possession, territory, or commonwealth of the United States or of the District of Columbia and **not** have resigned while a disciplinary investigation or proceedings is pending.
  - **Not** subject to any order disbaring, suspending, enjoining, restraining, or otherwise restricting him or her in the practice of law or representation before a court or any administrative agency.
  - **Not** convicted of a serious crime anywhere in the world.

## Part 5. Renewal of Accreditation (complete if applicable)

- A. Date of last approval of accreditation \_\_\_\_\_ (Month/Day/Year)  
(Attach copy of last order approving accreditation)
- B.  Check this box **only** if seeking to change accreditation from partial to full accreditation or full to partial accreditation. If seeking full accreditation, submit documentation required by Part 4.C.
- C. By completing this form the organization and representative certifies to the accredited representative's continuing character and fitness to represent others before immigration agencies and that the representative meets the requirements set forth in Part 4.D. Character reference letters and other supporting documentation may be submitted.
- D. Submit documentation demonstrating continuing knowledge of immigration law and procedure and practical accreditation experience. Include an updated resume, evidence of recent education and formal trainings completed, and types of cases personally handled before immigration agencies during the last approved period of accreditation.

