

Home » About DOJ » Agencies » Executive Office for Immigration Review » News and Information

Tuesday, Apr. 3, 2012

EOIR Statement Regarding Second Stage of Case-by-Case Review Pursuant to DHS's Prosecutorial Discretion Initiative

On March 30, 2012 the Department of Homeland Security (DHS) announced the next phase of its case-by-case review launched in November 2011. Under the initiative, DHS is reviewing the pending immigration removal caseload to determine in which cases it will exercise prosecutorial discretion. DHS conducted a pilot program with a focused review of pending non-detained cases in the Baltimore and Denver immigration courts from December 4, 2011 to January 13, 2012. To assist this effort, EOIR rescheduled cases with hearings in the non-detained dockets in these courts during this period.

Continuing the effort to support DHS's case-by-case review, the Executive Office for Immigration Review (EOIR) has agreed to temporarily and partially suspend non-detained dockets in seven additional immigration courts over four two-week periods. As with the initial effort piloted in Baltimore and Denver, EOIR intends to reschedule cases on the non-detained dockets of the following courts in the coming months: Detroit, New Orleans, Orlando, and Seattle from April 23 until May 4; New York from May 7 until May 18; San Francisco from June 4 until June 15; and Los Angeles from July 9 until July 20. Those immigration judges whose non-detained dockets are affected will hear cases on detained dockets during the relevant period. EOIR will issue hearing notices to all respondents whose cases are rescheduled.

DHS attorneys will continue to make the decisions regarding prosecutorial discretion, and immigration judges will remain prepared to adjudicate motions to administratively close or terminate cases on a case-by-case basis as they are filed with the court.
