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Sent: Wednesday, October 09, 2013 10:53 AM
To: EOIR, PAO (EOIR)
Subject: Immigration Court Filings During the Lapse in Government Funding

Good morning.

During the lapse in government funding, the operating status of each immigration court is categorized in one of three ways. These statuses are: "Open," "Open to hear detained cases only," and "Closed." Please see the EOIR website for the listing of immigration courts and the operating status of each court. See <http://www.justice.gov/eoir/ICstatus.htm>.

There are several types of deadlines for filings before an immigration court. Some exist in statutes and regulations, and others are contained in Section 3.1 of the Immigration Court Practice Manual (ICPM). Furthermore, an immigration judge may set specific deadlines in a given case, whether the respondent is detained or not.

As a general matter, immigration courts that have a docket consisting primarily of detained cases are designated as "Open" and are accepting filings at the window and by mail. Deadlines relating to cases before courts designated as "Open" are effective even during the lapse in funding as the adjudication of these cases moves forward.

A second group of courts, which hear both detained and non-detained cases, are referred to as "Open to hear detained cases only." Deadlines relating to **detained** cases before these courts are effective during the lapse in funding, and filings related to such cases are being accepted at the window and by mail. Filings relating to **non-detained** cases at these courts also will be accepted at the filing window or by mail and date-stamped, but will not be processed further during the lapse in funding. In addition, motions for extension of filings deadlines pursuant to section 3.1(c)(iv) of the Immigration Court Practice Manual will be accepted for non-detained cases, but decisions on such motions *might not* occur until the government receives funding for Fiscal Year 2014.

For non-detained cases pending before court locations that are designated as "Closed," filings currently are not being accepted at the window and no court staff is processing mail. Decisions on how non-detained cases will be rescheduled and how filings related to those cases will be considered will be made once the government reopens. If motions for extension of filings deadlines pursuant to section 3.1(c)(iv) of the Immigration Court Practice Manual are submitted by mail, decisions on such motions *will not* occur until the government receives funding for Fiscal Year 2014.

Best,

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