

NOTICE

Department of Justice

Executive Office for Immigration Review

Thursday, February 4, 2016

Executive Office for Immigration Review to Revise Docketing Practices Relating to Certain Priority Cases

The Executive Office for Immigration Review (EOIR) released a memorandum, titled *Revised Docketing Practices Relating to Certain EOIR Priority Cases*, to provide guidance to its immigration judges regarding changes to the agency docketing priorities. These are the first formal changes to the agency docketing priorities since the July 18, 2014, announcement regarding new priority case groups.

As previously announced, EOIR will begin docketing the initial master calendar hearing for DHS-identified unaccompanied children no earlier than 30 days and no more than 90 days from the immigration court's receipt of the Notice To Appear (NTA). This change will go into effect on February 8, 2016.

DHS and EOIR have begun a monthly reconciliation program in order to ensure that individuals coded under the priority code adults with children/alternatives to detention (AWC/ATD) are actively enrolled in a DHS alternatives to detention program. Following this reconciliation, which will be completed on March 1, 2016, all cases that retain the AWC/ATD code will remain a priority and EOIR will resume the release of statistics regarding this group on that date. Cases involving respondents in the DHS-identified category of adults with children whom DHS is detaining will continue to be a priority irrespective of their detention status.

The cases of respondents who were released from detention following a bond hearing under *Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir. 2015), whom DHS determines are Priority I category for civil immigration enforcement, and who have pending removal proceedings will now be a docketing priority. This change goes into effect on March 1, 2016.

All other docketing standards set forth in the March 24, 2015, memorandum, titled *Docketing Practices Relating to Unaccompanied Children Cases and Adults with Children Released on Alternatives to Detention Cases in Light of New Priorities*, remain in effect.

Please see the memorandum, *Revised Docketing Practices Relating to Certain EOIR Priority Cases*, for more information.

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The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. Under delegated authority from the Attorney General, immigration judges and the Board of Immigration Appeals interpret and adjudicate immigration cases according to United States immigration laws. EOIR's immigration judges conduct administrative court proceedings in immigration courts located throughout the nation. They determine whether foreign-born individuals—whom the Department of Homeland Security charges with violating immigration law—should be ordered removed from the United States or should be granted relief from removal

and be permitted to remain in this country. The Board of Immigration Appeals primarily reviews appeals of decisions by immigration judges. EOIR's Office of the Chief Administrative Hearing Officer adjudicates immigration-related employment cases. EOIR is committed to ensuring fairness in all of the cases it adjudicates.

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