



U.S. Department of Justice

Executive Office for Immigration Review

Office of the General Counsel

5107 Leesburg Pike, Suite 2150
Falls Church, Virginia 22041

July 18, 2019

Laura Lynch
AILA
1331 G Street NW, Suite 300
Washington, DC 20005-3141

Re: FOIA 2019-33673

Dear Ms. Lynch,

This letter is in response to your Freedom of Information Act (FOIA) request to the Executive Office for Immigration Review (EOIR) in which you seek a copy of the review conducted by EOIR regarding the Office of Chief Administrative Judge workforce.

Responsive documents are enclosed. There will be no charge for this information.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. *See* <http://www.justice.gov/oip/foiapost/2012foiapost9.html>.

You may contact our FOIA Public Liaison at the telephone number 703-605-1297 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your

request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Joseph Schaaf

Joseph R. Schaaf
Senior Counsel for Administrative Law



Immigration Court Organizational Structure

STAFFING IMPLEMENTATION PLAN

JULY 2018

New Immigration Court Staffing Models

- OCIJ is ready to implement the new Immigration Court Staffing Models. This huge accomplishment was the result of many hours of work by HQ in consultation with HR, Court Administrators, Assistant Chief Immigration Judges, Interpreters, and SLAs.
- New positions have been developed to meet the operational requirements of a growing immigration court system.
- The goal is to promote from within to the fullest extent possible, with the understanding that we must strictly adhere to and follow the Merit System principles and avoid prohibited personnel practices.

Immigration Court Position Types

- Contact Representative (GS-0962-5/6) – responsibilities include serving primarily as a receptionist at the receptionist's window; performing a variety of clerical tasks associated with receiving visitors, responding to general inquiries, and processing incoming mail. Most courts will get two Contact Representatives due to the volume of work processed at the window.
- Management Assistant (Language Services) (GS-0344-5/6/7) – responsibilities include placing and tracking contract interpreter orders using the Electronic Contract Interpreter Ordering System (ECIOS), as well as working with the Language Services Unit and language services contract providers.

Immigration Court Position Types (continued)

- Legal Assistants (GS-0986-5/6/7/8) – responsibilities include providing legal support for the case management function pre- and post-hearing, primarily by entering, processing, and retrieving legal information and documents from electronic systems and hard copy files; can perform higher-graded duties on a limited basis.
- Legal Specialist (GS-0901-9/11/12) – responsibilities include providing legal support for the case management function during in-court proceedings, primarily by entering, processing, and retrieving legal information and documents; can perform Legal Assistant duties on a limited basis.

Immigration Court Position Types (continued)

- Paralegal Specialist (GS-0950-9/11) – responsibilities include conducting general and immigration-specific legal research, drafting appropriate court documents, and monitoring and updating the case management system with paralegal-related information.
- Support Services Specialist (GS-0342-9/11) – responsibilities include providing administrative support to the Court Administrator, primarily by planning and coordinating a variety of service functions associated with the orderly and efficient operation of the court (WebTA; travel; purchase card; security; etc.).

Immigration Court Position Types (continued)

- Case Management Specialist (GS-0343-12/13) – responsibilities include providing technical assistance and guidance in the quantitative and qualitative analysis and evaluation of court program data and processes to identify more efficient and effective methods for managing court caseloads and operations; analyzing the court performance measures.
- Interpreter (GS-1040-12) – responsibilities include performing the full range of court interpreting in the consecutive and simultaneous modes, and sight translation in two or more languages for the Immigration Judges, Limited English Proficient (LEP) and non-English speaking individuals, attorneys, representatives and the public during all types of immigration proceedings.

Immigration Court Position Types (continued)

- Supervisory Interpreter (GS-1040-13) –In addition to interpretation duties, the Supervisory Interpreter is the first line supervisor for interpreters.
- Supervisory Legal Specialist (GS-901-13) - this position supervises the Legal Assistants, Legal Specialists, and Contact Reps. In some courts the Supervisory Legal Specialist may also supervise Management Assistants.
- Deputy Court Administrator (GS-901-13) – this position is located in courts with 100 or more employees.
- Court Administrator (GS-901) – The GS-14 position is located in courts with less than 100 employees. The GS-15 position is located in court with 100 or more employees.

Steps to Implementation

- Recruitment
 - A recruitment timeline has been developed. OCIJ is working with HR to begin recruitment as early as mid July.
 - All positions will be filled competitively, that is, by having current employees apply to vacancy announcements.
 - Most new positions will initially be advertised “Merit Promotion - EOIR Only.”
- Contractors - Contractor positions will be phased out as permanent positions are filled. However, we will continue relying on contractors as we go through this long-term transition.
- Space - Current court **floor plans and allocated space limitations have been** evaluated. To free up space, telework options are being considered. New workstation configurations will be needed in some courts.

Recruitment Strategy

- In the next few months we will be recruiting for over 1200 positions.
- Vacancy announcements will be posted in a manner that will provide the best opportunity for internal movement and advancement.
- Positions will be advertised in a staggered sequence.

Recruitment Timeline

GROUP 1 (MP/DE)

Deputy Court Administrator (GS-14)
Staff Assistant (GS-12) – posted July 18, 2018
Supervisory Legal Administrative Specialist (GS-13)(MP and DE)
Posting: July 23
Certs Issued: August 16
Selections By: August 31

GROUP 2 (MP EOIR Only)

Legal Administrative Specialist (GS-9/11/12)
Posting: July 23
Certs Issued By: August 23
Selections By: September 6

GROUP 3 (MP EOIR Only)

Support Services Specialist (GS-9/11)
Supervisory Interpreter (GS-13)
Posting: August 6
Certs Issued By: September 6
Selections By: September 20

GROUP 4 (DE)

Legal Administrative Specialist (GS-9/11/12)
Legal Assistants (GS-5/6/7/8)
Posting: August 13
Certs Issued: September 17
Selections By: October 17

GROUP 5 (Mixed)

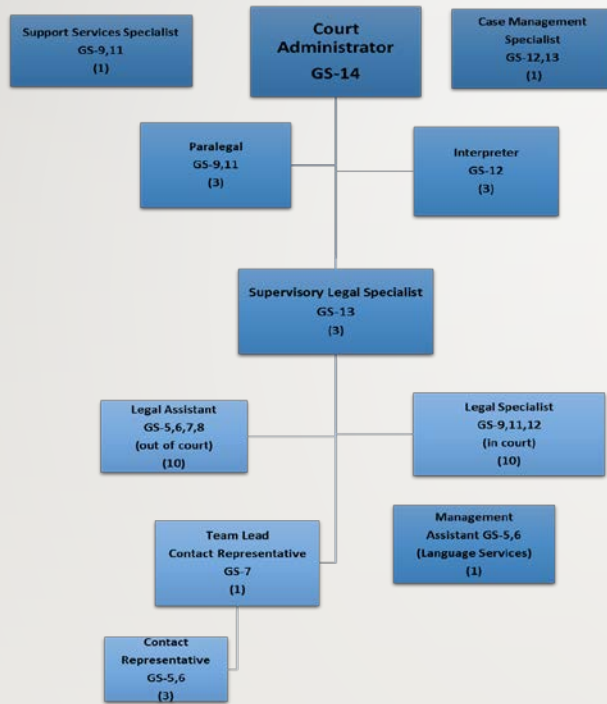
Case Management Specialist (GS-12/13) (MP/DE)
Support Services Specialist (GS-9/11) (DE)
Posting: September 24
Certs Issued: October 25
Selections By: November 26

GROUP 6 (Mixed)

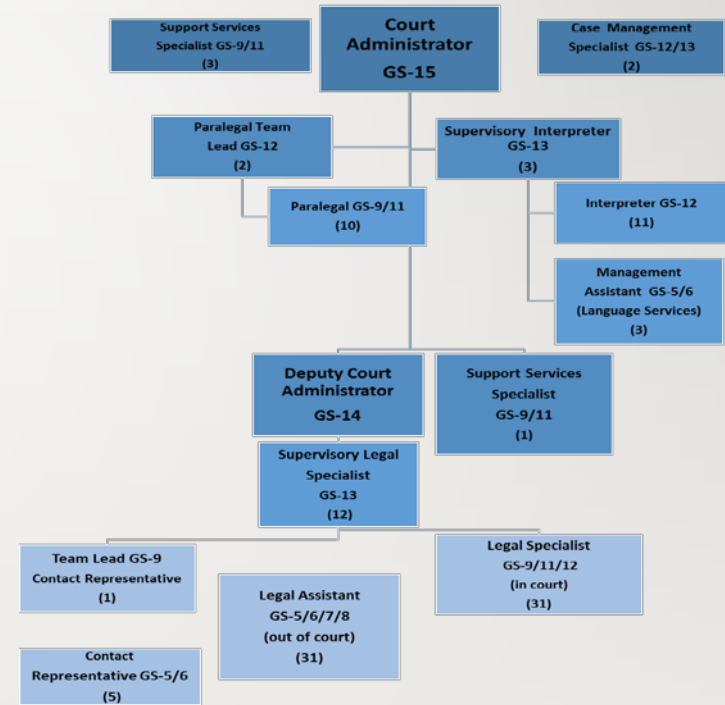
Paralegal Specialist (GS-9/11) (DE)
Lead Paralegal Specialist (GS-12) (MP/DE)
Supervisory Interpreter (GS-13) (DE)
Management Assistants-Language Services (GS 5/6/7) DE
Contact Representatives (GS 5/6) DE
Posting: November 1
Certs Issued: December 3
Selections By: January 7, 2019

MP (Merit Promotion) is for current federal employees [internal]
DE (Delegated Examining) is for all U.S. Citizens. [external].
MP Ad running time is 14 days; DE Ad running time is 21 days.

Sample Organizational Charts



Small Court with 10 Judges



Large Court with 31 Judges

Conclusion

- We now have definite career growth and progression opportunities available within the new immigration court structure that did not exist before the restructuring.
- We have challenges ahead of us but we have better tools to overcome them.
- Our greatest challenge is a paradigm shift in our approach to conducting business. Business as usual is no longer the norm.