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Subject: EOIR Statement on Current Operations

To: EOIR, PAO (EOIR) <PAO.EOIR@usdoj.gov>

Good evening –

The Executive Office for Immigration Review continues to closely review and implement guidance from the Department of Justice, the Office of Management and Budget, the Office of Personnel Management, the Centers for Disease Control and Prevention, and the General Services Administration in responding to issues concerning specific locations or employee situations related to COVID-19. EOIR takes the safety, health, and well-being of its employees very seriously, and will continue responding to this rapidly evolving pandemic, while ensuring the continuation of its critical missions and updating the public regarding the status of its operations as decisions are made.

Updates to the operational status of the immigration courts will be announced via Twitter (@DOJ_EOIR), Facebook (Executive Office for Immigration Review), and on EOIR's [operational status webpage](#). The operational status webpage is EOIR's central hub for information regarding its current operating posture.

EOIR's current operational status is largely in line with that of most federal courts across the country, which have continued to receive and process filings and to hold critical hearings, while deferring others as appropriate. Recognizing that cases of detained individuals may implicate unique constitutional concerns and raise particular issues of public safety, personal liberty, and due process, few federal courts have closed completely. Most federal courts have continued to receive filings and to hold critical hearings for detained individuals even as they have postponed other hearings.

EOIR is similarly continuing to receive filings and to hold hearings for detained aliens while monitoring and minimizing risks presented by COVID-19. Courts that are "open" are open to receive filings, to conduct detained hearings, and to conduct work that does not involve the presence of the general public. EOIR has encouraged additional measures, including the use of video teleconferencing for hearings, telephonic appearances by practitioners, and stipulated requests by the parties, to reduce the likelihood of exposure to COVID-19. Further, all parties are encouraged to file documents by mail or through electronic filing (EOIR Electronic & Appeals System), as available, and no party is required to file documents in person. For additional information on EOIR's efforts, please also see EOIR's policy memoranda: [20-10: Immigration Court Practices During the Declared National Emergency Concerning the COVID-19 Outbreak](#), and the [20-10 addendum](#).

At this time, some immigration courts have standing orders relating to telephonic appearances for some hearings. The standing orders can be found through each [immigration court's](#) main page under the Immigration Court Procedures section and on EOIR's [operational status webpage](#), and in Appendix R to the [Immigration Court Practice Manual](#).

Attorneys with cases in immigration court have longstanding information readily available to them about the filing of motions to continue, which immigration judges will adjudicate based on the unique facts of each case and relevant situation to include active illnesses of all varieties. Although the operational situation may change as new information is received, immigration courts will continue to address all cases, including any motions to continue, in accordance with the applicable law.

EOIR is deeply committed to protecting the health and safety of its employees and the individuals conducting business before the immigration courts. It continues to urge its employees and stakeholders to follow [CDC guidance regarding hygiene practices](#).



Executive Office for Immigration Review