



These tables are provided for general guidance only. To determine the particular deadlines in a given case, parties must consult the pertinent regulations and the text of this manual. Adjudicators have discretion to set deadlines for pre-decision filings. The construction of “day” is discussed at Part II, 3.1(c)(1) (Delivery and Receipt, Construction of “day”); Part III 3.1(b)(1) (Delivery and Receipt, Construction of “day”); Part IV, 3.4 (Time Computations).

Note that this table contains only the most common deadlines for filings before EOIR.

OCIJ DEADLINES

Filing		Deadline	Policy Manual Reference
Changes of address or telephone number	Alien	5 days after the alien’s change of address or telephone number.	Part II, 2.2(c)-(d)
	Representative	Promptly.	Part II, 2.2(c)-(d)
Filings in advance of master calendar hearing	Filings	15 days before the hearing, if requesting a ruling (if alien is detained, deadline is determined by the immigration court)	Part II, 3.1(b)(1)
	Responses	10 days after the filing is received by the immigration court (if alien is detained, deadline is determined by the immigration court)	Part II, 3.1(b); 5.12
Filings in advance of individual calendar hearing	Filings	30 days before the hearing (if alien is detained, deadline is determined by the immigration court)	Part II, 3.1(b)(2)
	Responses	10 days after the filing is received by the Immigration Court (if alien is detained, deadline is determined by the immigration court)	Part II, 3.1(b)(2)
Asylum Applications	Defensive Applications	within one year after arrival to the United States ¹¹	Part II, 3.1(b)(3)(A)
	Affirmative Applications	filed with DHS within one year after arrival to the United States*	Part II, 3.1(b)(3)(B)
Post-Decision Motions	Motions to Reopen	90 days after a final administrative order by the immigration judge, with certain exceptions	Part II, 3.1(b)(4); 5.7

Motions to Reconsider	30 days after a final administrative order by the immigration judge	Part II, 3.1(b)(4); 5.8
Motions to Reopen in absentia Removal Order	180 days after in absentia order, if based on exceptional circumstances	Part II, 3.1(b)(4); 5.9(d)(2)(A)
	at any time, if based on lack of proper notice	Part II, 3.1(b)(4); 5.9(d)(2)(B)

BIA DEADLINES

Type of Filing	Deadline	Policy Manual Reference
Changes of address or telephone number	Alien	5 days after the alien's change of address or telephone number.
	Representative	Promptly
Immigration Judge Decision Appeals	Notice of Appeal (Form EOIR-26)	30 days of the decision being rendered orally or mailed
	Appeal brief (by appealing party)	21 days of the date of the briefing notice
	Response brief (by opposing party)	21 days of the appealing party's briefing deadline
		21 days of the date of briefing notice if the appeal is filed by a detained alien
	Reply brief (by appealing party)	21 days of the filing of the response brief, with motion
		14 days of the expiration of the briefing schedule, if the appeal is filed by a detained alien, with motion
	Cross appeal brief (by either party)	21 days of the date of the briefing notice (both parties)
Motions before the BIA	Motion to reopen	90 days of a final administrative order by the BIA, with certain exceptions
	Motion to Reconsider	30 days of a final administrative order by the BIA
	Motion brief	filed with motion
	Response brief	13 days of the date of service of the motion brief

Bond Appeals	Appeal of Immigration Judge Decision	30 days of the decision being rendered orally or mailed	Part III, 7.3(a)(2)(A)
	Appeal of DHS Decision	10 days of the date of the DHS decision	Part III, 7.3(a)(2)(B)
Discipline Cases	Response to a Notice of Intent to Discipline	30 days from the date of service of the Notice of Intent to Discipline	Part III, 11.7(b)
	Motion to Set Aside Default Order	15 days after date of service of default order	Part III, 11.7(b)(2)
	Appeal of Final Order of Discipline	30 days of the decision being rendered orally or mailed	Part III, 11.7(d)
Fines Appeals	DHS Fine Decision	15 days after date of mailing of the DHS decision	Part III, 10.3(b)(3)
Visa-related Appeals	Visa petition denial	30 days after service of the decision or mailed	Part III, 9.3(c)(3)
	Visa revocation	15 days after service of the revocation notice	Part III, 9.4(c)
	Visa revalidation denial	30 days after service of the decision	Part III, 9.5

OCAHO DEADLINES

Type of Filing or Document	Deadline*	Policy Manual Reference
Application by non-attorney to represent a party before OCAHO	10 days after receipt of the Notice of Case Assignment	Part IV, 2.5(b)(2)
Answer to a complaint	30 days after service of the complaint	Part IV, 3.5(a); 4.1(a)
Response to a motion	10 days after service of the motion	Part IV, 4.1(b); 4.2(d)
Request for continuance of a scheduled hearing	No later than 14 days prior to the date of the scheduled hearing	Part IV, 4.6(b)
Motion for summary decision	If motion is filed by complainant, no fewer than 30 days after receipt of the complaint by the respondent	Part IV, 4.9
	If motion is filed by either party, no later than 20 days prior to the date of a scheduled hearing	Part IV, 4.9
Answers and objections to written interrogatories**	30 days after service of the interrogatories	Part IV, 5.2(c)

Answers to requests for production or inspection**	30 days after service of the request	Part IV, 5.3(c)
Responses to requests for admissions**	30 days after service of the request	Part IV, 5.4(b)
Notice of deposition (for depositions taken within the continental United States)**	At least 10 days in advance of the date and time of the deposition	Part IV, 5.5(b)
Notice of deposition (for depositions taken outside the continental United States)**	At least 20 days in advance of the date and time of the deposition	Part IV, 5.5(b)
Petition to revoke or modify a subpoena	10 days after service of the subpoena	Part IV, 5.6(f)
Response to a petition to revoke or modify a subpoena	Eight days after receipt of the petition to revoke or modify a subpoena	Part IV, 5.6(f)
Motion for corrections to transcript of a hearing	10 days after receipt of the transcript by the administrative law judge	Part IV, 6.5(c)
Additional documents or evidence after the record of hearing is closed	20 days after the close of the hearing	Part IV, 6.6(b)
Post-hearing briefs and proposed orders	20 days after the filing of the official hearing transcript	Part IV, 6.7
Request for administrative review of an interlocutory order	10 days after the date of entry of the interlocutory order	Part IV, 8.1(c)
Briefs related to a request for administrative review of an interlocutory order	21 days of the date of entry of the interlocutory order	Part IV, 8.1(d)
Request for administrative review of a final order	10 days of the date of entry of the final order	Part IV, 8.2(b)
Briefs related to a request for administrative review of a final order	21 days of the date of entry of the final order	Part IV, 8.2(b)

*The administrative law judge may, in his or her discretion, extend or modify some of the deadlines contained in this table. Additionally, the administrative law judge may establish specific date deadlines for certain filings in a case. Furthermore, if a party must take some action within a prescribed period after the service of a document, and the document is served by ordinary mail, five days will be added to the prescribed period. This five-day additional response period does not apply if a specific date deadline is otherwise specified by the CAHO or the ALJ, and does not apply if the response time is based on the date of entry of an order rather than on the date of service.

** Unless otherwise ordered by the administrative law judge, parties should not file requests for discovery or answers or responses thereto with the administrative law judge. The deadlines listed here are the deadlines for submitting a response to the requesting party, not to OCAHO. Of course, petitions and motions relating to discovery must be filed with the administrative law judge and served on the opposing party.

▮ An alien filing an application for asylum should be mindful that the application must be filed within one year after the date of the alien's arrival in the United States, unless certain exceptions apply. INA § 208(a)(2)(B), 8 C.F.R. § 1208.4(a)(2).

[◀ Appx B - Org Chart](#)

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[Appx D - Forms ▶](#)

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