DRAFT

Department of Homeland Security

G-28, Notice of Entry of Appearance as Attorney or Accredited Representative

Instructions

What Is the Purpose of This Form?

An attorney or accredited representative appearing before the Department of Homeland Security (DHS) must file Form G-28 in each case. Form G-28 must be properly completed and signed by the petitioner, applicant, or respondent to authorize representation for the appearance to be recognized by U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE). Under 8 CFR 103.2(a)(3), a beneficiary of a petition is not a recognized party in a proceeding before USCIS. Form G-28 will be recognized by USCIS, CBP, or ICE until the conclusion of the matter for which it was entered. This does not change the requirement that a new Form G-28 must be filed with the Administrative Appeals Office when filing an appeal to that office on Form I-290B, Notice of Appeal or Motion.

Who May Use This Form?

Appearances for Immigration Matters

This form is used only by attorneys and accredited representatives (as defined in 8 CFR 1.1(f) and 292.1(a)(4)).

An attorney or accredited representative who is appearing for a limited purpose at the request of the attorney or accredited representative who has previously filed a Form G-28 in the case must complete **Part 2C** and **Part 2A** or **2B**.

A law student or law graduate who is working under the direct supervision of an attorney or accredited representative, pursuant to 8 CFR 292.1(a)(2), must complete **Part 2D** on the same Form G-28 filed by the supervising attorney or accredited representative. The law student or law graduate must sign the Form G-28 in **Part 3**, next to the signature of the supervising attorney or accredited representative. A law student or law graduate may be required to verify that he or she is eligible as required in 8 CFR 292.1(a)(2). The appearance of a law student or law graduate is not automatic and requires the permission of the DHS official before whom he or she wishes to appear. The DHS official may require that the law student or law graduate be accompanied by the supervising faculty member, attorney, or accredited representative.

An attorney or accredited representative who seeks to withdraw his or her appearance in a proceeding before DHS must file a written request with the DHS office with jurisdiction over the pending matter. An attorney or accredited representative who seeks to be recognized by DHS as the new representative for an applicant, petitioner, or respondent must file a properly completed Form G-28 with the DHS office with jurisdiction over the pending matter.

Attorneys admitted to the practice of law in countries other than the United States must use Form G-28I and may only represent individuals in matters filed in DHS offices outside the geographical confines of the United States.

Individuals seeking permission to appear as reputable individuals (as defined in 8 CFR 292.1(a)(3)) must obtain permission from DHS to appear with an applicant or petitioner. They will be required to provide the information listed in the regulations to the DHS official before whom he or she wishes to appear.

When a person acts in a representative capacity, his or her personal appearance or signature will constitute a representation under the provisions of 8 CFR 103.2(a)(3) and 292.1(a)(1) or 292.1(a)(4) that he or she is authorized and qualified to represent the individual. Further proof of authority to act in a representative capacity may be required.

General Instructions

Part 1. Notice of Appearance as Attorney or Accredited Representative

A. Check one block to indicate the DHS agency where the matter is filed. If it is USCIS, list the form number(s) filed with Form G-28. If it is CBP or ICE, list the specific matter in which the appearance is entered.

B. Check one box to indicate applicant, petitioner, or respondent. Fill in all information. The mailing address of the applicant, petitioner, or respondent is required in this part of the form, except when filed under the Violence Against Women Act (VAWA). The applicant, petitioner, or respondent must sign the form in dark blue or black ink.

DRAFT

Part 2. Information About Attorney or Accredited Representative

A. Attorneys admitted to practice in the United States, as defined in 8 CFR 1.1(f):

Check the box and fill in required information regarding the State bar(s) of admission. If you are subject to any order of any court suspending, enjoining, restraining, disbarring, or otherwise restricting you in the practice of law, you must disclose this information on Form G-28. Attorneys are required to notify DHS of convictions or discipline pursuant to 8 CFR 292.3.

B. Accredited representatives of recognized organizations, as defined in 8 CFR 292.1(a)(4):

Check the box and fill in the name of the organization recognized by the Board of Immigration Appeals (BIA) under 8 CFR 292.2 and provide the expiration date of your accreditation.

C. Attorneys or accredited representatives associated with the attorney or accredited representative with Form G-28 previously filed in this matter:

Check the box and fill in the name of the attorney or accredited representative who has previously filed Form G-28 in this matter. A new properly completed Form G-28 must be filed by each attorney associated with that attorney or accredited representative if he or she wishes to make an appearance in the matter. You must also check Box A or B and provide the required information.

D. Law students and law graduates not yet admitted to the bar:

Check the box and fill in your name in the space provided on the same Form G-28 filed by the supervising attorney or accredited representative. The appearances of law students and law graduates are subject to the requirements of 8 CFR 292.1(a)(2).

Part 3. Name and Signature of Attorney or Accredited Representative

Fill in all information and sign the form in dark blue or black ink. Fill in the name of the legal aid program, law school clinic or nonprofit organization in the space provided for the name of the law firm or recognized organization. Law students and law graduates must sign the form next to the signature of the supervising attorney or accredited representative.

Warning

Individuals appearing as attorneys or accredited representatives are subject to the rules of Professional Conduct for Practitioners found in 8 CFR 292.3.

Freedom of Information/Privacy Act

This form may not be used to request records under the Freedom of Information Act or the Privacy Act 5 USC 552 & 552a. The procedures for requesting such records are contained in 6 CFR 5.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 20 minutes per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, 111 Massachusetts Avenue, NW, 3rd Floor, Suite 3008, Washington, DC 20529-2210, OMB No. 1615-0105. **Do not mail your application to this address.**