



AILA AMICUS COMMITTEE  
**Guidelines for Obtaining AILA Amicus Assistance**  
As Revised: July 7, 2015

The American Immigration Lawyers Association participates as *amicus curiae* in matters that advance the interests of the Association or its members, or that generally promote the orderly and beneficial development of the law. AILA actively seeks out cases in which the Association has an interest, and generally drafts its own briefs. From time to time, AILA will also sign on to briefs written by others. AILA members are encouraged to seek out amicus assistance on important cases early in the course of litigation.

**How to Obtain AILA Amicus Assistance**

If you wish to obtain AILA Amicus assistance in a particular case or wish to raise an issue that merits AILA's consideration because it could impact the Association's interest, there are three ways you may contact us: 1) you may contact any member of the AILA Amicus Committee directly; 2. you may submit the request to [amicus@aila.org](mailto:amicus@aila.org); or 3. you may use an online form for submitting amicus requests, which can be accessed here: <https://liaison.formstack.com/forms/ailaamicusrequestform>.

When making a request, it is important to explain how the case impacts AILA's interest. Copies of the decision below and the parties' briefing are helpful.

**Guidelines for AILA National Amicus Requests**

Generally, AILA considers amicus requests only when an issue of national or regional importance to the immigrant community is raised in a precedent setting forum such as the Courts of Appeals, the Supreme Court, the Board of Immigration Appeals, and similar bodies. In unusual circumstances, AILA may appear as amicus before non-precedent setting forums such as the district courts, the Administration Appeals Office and similar bodies.

AILA favors participation in cases in which one or more of the following factors are present:

1. Is the issue on the amicus priorities list?
2. Is the claim before the Supreme Court?
3. Is this an issue on which AILA has a special interest, a special position paper, or is it part of an AILA liaison strategy?

4. Is there a meaningful amicus position separate from the petitioner that would add to the disposition of the case?
5. Is AILA the principal amicus, principal drafter of the brief, or would AILA have meaningful input into the brief?
6. Regardless of the merits, does the claim present an opportunity for AILA to educate judges about an important aspect of the immigrant community or the administration's treatment of the immigrant community?

AILA disfavors participation in cases in which the following factors are present:

1. Are the facts so sufficiently negative or prejudicial that it would impact the reputation of the Association or hinder the presentation of the legal issue?
2. Is the claim being raised on a petition for rehearing at a court of appeals?
3. Are there other organizations who can credibly represent AILA's interests without AILA's involvement?
4. Is the claim fact-specific?
5. Is this a mere AILA sign-on within a larger group of organizational sign-ons?
6. Is there a different claim raising a similar or identical legal issue that is a better vehicle for AILA's focus?

#### **Guidelines for AILA Chapter Amicus Requests**

The guidelines above apply also to chapter amicus participation requests. Early contact by the Chapter to Amicus Committee is encouraged. The Chapter's Executive Committee needs to approve the amicus request before the request will be considered by the Amicus Committee. The request should identify the chapter members who are anticipated to participate in drafting the chapter's brief. A member of Amicus Committee will generally participate on the chapter's drafting team. The Chapter's amicus request should summarize the legal issue or issues the chapter wishes to address as amicus, and the proposed argument, if it has been developed. Copies of the decisions below and the parties' briefing should be provided.