



U.S. Department of Justice
Executive Office for Immigration Review
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NOTICE

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The Executive Office for Immigration Review Announces Changes Due to the Lapse in Federal Government Funding

FALLS CHURCH, VA – During the period of October 1-16, 2013, the Executive Office for Immigration Review was operating in a limited capacity due to the lapse in government funding.

Immigration courts nationwide continued to adjudicate detained cases but all other functions were suspended. Any filing with the immigration court related to a non-detained case that was due October 1-16, 2013 will be considered timely filed if it is received by the appropriate court within fifteen days of the date of this notice (i.e., November 8, 2013). No request for, or documentation supporting, an extension is required if the appropriate court receives the originally-due filing prior to the close of business on November 8, 2013. EOIR will issue new notices of hearing for those cases affected by the lapse in government funding. Cases will be scheduled for available dates on the docket, but will not be scheduled in a way that would cause disruption to previously scheduled cases.

The Board of Immigration Appeals (BIA) processed only filings related to detained cases during the lapse in government funding. The BIA did accept all filings during that period. Also, as announced in September (<http://go.usa.gov/WxGQ>), EOIR transitioned to zip code 20530 on October 1, 2013. Due to the convergence of those two events, the BIA will consider timely filed any filing that meets both of these criteria:

- (1) the filing was due during the month of October 2013; and
- (2) the BIA receives the filing on or before November 1, 2013.

No request for, or documentation supporting, an extension is required for filings that arrive at the BIA by November 1, 2013. Filings that arrive after November 1, 2013, are subject to normal filing deadlines. If timeliness is an issue for any filings that the BIA receives after November 1, 2013, parties should consult the BIA Practice Manual, available on-line at <http://go.usa.gov/Wx7j>, for guidance.

The Office of the Chief Administrative Hearing Officer (OCAHO) maintained its ability to issue subpoenas and accept complaints required to be filed by statutory deadlines. OCAHO granted all requests for extensions of time or temporary stays of proceedings made during this period, and accepted all filings received. Future requests for extensions or stays will be decided on a case-by-case basis.

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