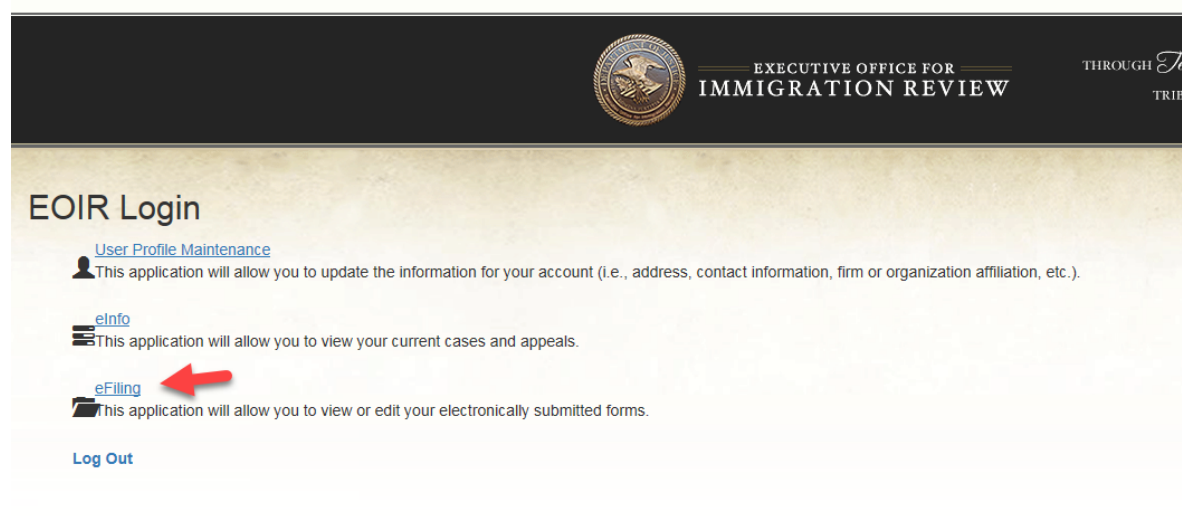


Attorney and Fully Accredited Representative Frequently Asked Questions

eFiling in eRegistry (EOIR-27 and 28 Forms Only)

Using the EOIR Portal (<https://portal.eoir.justice.gov/>), registered attorneys and representatives may file forms EOIR-27 (Notice of Entry of Appearance as Attorney or Representative before the BIA) and EOIR-28 (Notice of Entry of Appearance as Attorney or Representative before the Immigration Court) electronically. This filing option can be found by selecting the eFiling option after logging into the application.



By filing electronically, the application will prepopulate many of the form fields including attorney/representative name, address, phone number, and email address from the user's account information.

Attorneys/Representatives will need to enter:

- The represented party's A-Number
- The represented party's address information
- Whether they are representing the alien for Custody and Bond Proceedings only, All Proceedings other than Custody and Bond Proceeding, or All Proceedings and certifying that a copy of the form is being served on DHS

Simple electronic signatures (i.e., //s// John Smith) are permitted on these forms when filed electronically through eRegistry. Only the authenticated user may submit such documents.

Serving an EOIR-27 or -28 on DHS

Attorneys and accredited representatives who file a Form EOIR-27 or -28 electronically are still required to serve DHS with a copy of the completed form, either electronically through the DHS eService portal (register at <https://eserviceregistration.ice.gov/>) or via mail.

Exceptional Cases for Filing EOIR-27 or -28

EOIR is unable to process electronically-filed EOIR-27s in the following circumstances:

- Decisions involving fines and penalties
- Decisions of adjudicating officials in practitioner disciplinary proceedings
- Appeals from a decision of a DHS officer (unless DHS has transferred the record to BIA)
- Decisions on denials of advance permission to enter the U.S. (unless DHS has transferred the record to BIA)
- Decision of a DHS district director regarding bond (unless DHS has transferred the record to BIA)

EOIR is unable to process electronically-filed EOIR-28s in the following circumstances:

- Prior to the filing of a Notice to Appear with the immigration court
- Bond redetermination requests made before the filing of a Notice to Appear (NTA) with the immigration court
- Motions to reopen
- Motions to reconsider
- Motions to recalendar proceedings that are administratively closed
- Motions to substitute counsel
- Cases that are pending an appeal before the BIA (in such instances a Form EOIR-27 should be filed with the BIA)
- Cases in which there are more than one open proceeding
- Disciplinary proceedings

In matters in which EOIR does not yet accept electronic filings of the Forms EOIR-27 and -28, registrants will need to continue to file paper versions of those forms with the immigration court in which the case is being heard, or at the BIA for a case being appealed.

Official Correspondence and Representative Change of Address

EOIR will send all official case-related correspondence to the representative's address included on the most recent Form EOIR-27 or -28 contained in that case file. Representatives are obligated to notify the immigration court and BIA of any change in their current address by filing an updated EOIR-27 or 28.

Representatives may change their addresses electronically by completing a two-step process: First, log into the EOIR portal, select User Profile Maintenance, and update the address on file. Second, refile Forms EOIR-27 and -28 for any pending cases, checking the New Address box on the form.

As with all Form EOIR-27 and -28 submissions, representatives are still required to serve DHS with a printed copy of the completed form.

eFiling in eRegistry Frequently Asked Questions

Q: What forms or documents can I electronically file with EOIR through eFiling in eRegistry?

A: Currently in most situations, registrants are able to electronically file the Form EOIR-27 and the Form EOIR-28 through eFiling in eRegistry. Please note, attorneys and fully accredited representatives will still have to file the Form EOIR-27 and EOIR-28 through eFiling in eRegistry during the ECAS pilot program, which started in July 2018.

Q: Can I upload Form EOIR-27 or EOIR-28 through eInfo?

A: Not at this time. Form EOIR-27 or EOIR-28 must be uploaded through eFiling in eRegistry. See the eInfo section of this document for more information on what documents can be filed through eInfo.

Q: Is filing an EOIR-27 or -28 online mandatory?

A: Filing online is not mandatory, but highly encouraged.

Q: Can my EOIR-28 containing my client's new address be used to update his/her address in your files?

A: No. Any respondent's change of address or phone number must be recorded on the [EOIR-33 form](https://www.justice.gov/eoir/list-downloadable-eoir-forms) (<https://www.justice.gov/eoir/list-downloadable-eoir-forms>). The form must be submitted in paper format via mail or in person within five business days of the change of address or phone number.

ECAS Pilot Program Frequently Asked Questions

Q: What is the EOIR Courts & Appeals System (ECAS)?

A: ECAS is an initiative that is part of an overarching information technology (IT) modernization effort at EOIR. The goal of ECAS is to phase out paper filing and processing, and to retain all records and case-related documents in electronic format.

Q: What immigration courts are pilot sites?

A: The pilot immigration courts are:

- San Diego, CA
- Denver, CO
- Atlanta, GA
- Baltimore, MD
- York, PA

Q: How were the pilot sites selected?

A: A number of factors went into the decision, including having an immigration court close in proximity to EOIR's headquarters, a west coast immigration court, a detained site, and a range of immigration courts sizes (i.e., small and large). EOIR also took into consideration immigration courts that have staff with prior electronic filing and document storage experience, as well as immigration courts with minimal change of venue requests. Collectively, the five sites meet the qualifications required to fully test and evaluate expanded electronic filing capabilities, and the electronic Record of Proceeding (eROP), before these applications are deployed nationwide in 2019.

Q: When will the rest of the immigration courts accept electronic filing?

A: Due to the December 2018 lapse of government funding, EOIR's schedule to incrementally rollout electronic filing to the remaining immigration courts has been impacted. We are reevaluating the timeline and will release an announcement through the EOIR website once the plan has been finalized.

Q: Is expanded electronic filing mandatory at pilot sites?

A: Expanded electronic filing is voluntary, but highly encouraged, at the pilot sites. It is EOIR's intention to make electronic filing mandatory for attorneys and accredited representatives after all the immigration courts nationwide have implemented expanded electronic filing. The action to OPT-IN and OPT-OUT of the pilot can be accomplished in eInfo.

Q: How do I opt out of the expanded electronic filing pilot program?

A: Sign into the eInfo application and click the OPT-OUT button in the footer. Click OK when the pop-up message opens. After opting out, you can only submit case-related documents and receive notifications in paper format.

eInfo

eInfo is a web-based application that allows registered attorneys and fully accredited representatives to view their clients' case information and to file and view case-related documents as part of the electronic filing pilot program. The information provided by the eInfo application is similar to what is currently available via the Automated Case Information Hotline (previously known as the 1-800 phone number). The abilities to upload case-related documents and request to download eROPs are being added to eInfo.

eInfo Expanded Electronic Filing Frequently Asked Questions

Q: Who can electronically file case-related documents for cases being heard in immigration courts?

A: For all new cases, originating electronically from DHS offices with jurisdiction in the immigration courts listed below, any attorney or accredited representative may electronically file documents on behalf of their alien clients/respondents. To be eligible, attorneys and accredited representatives must be registered with EOIR and have submitted an EOIR-28 (Notice of Entry of Appearance as an Attorney or Representative before the Immigration Court) for that alien's case.

Listed below are the immigration courts that accept electronic files as part of the ECAS pilot program:

- San Diego, CA
- Denver, CO
- Atlanta, GA
- Baltimore, MD
- York, PA

Q: Do DHS representatives have access to eInfo?

A: No. EOIR has developed a dedicated DHS portal for DHS representatives to upload case initiating documents and supporting documents in.

Q: What is a cutover date?

A: The cutover date is when all newly initiated cases at an EOIR pilot court will be processed electronically. If DHS or the respondent's attorney or fully accredited representative files via paper at an EOIR pilot court after the cutover date, the pilot court will scan all documents into an eROP.


Q: Can I file a paper-based document after the cutoff date at a pilot site?

A: It depends. If you are opted-in to the pilot, you must file your documents electronically, although the court retains discretion to accept paper filings in all cases. Conversely, if you are not opted-in to the pilot, you must file your document in paper. There is one exception: if your case was initiated before the pilot cutoff date, you must continue to paper file documents in that case, as existing paper-based case files are not being digitized.

Q: Will documents with electronic signatures be accepted?

A: Yes, attorneys and accredited representatives can upload documents using an approved electronic signature format. For more information, please reference the [Terms and Conditions](https://www.justice.gov/eoir/page/file/1076051/download) [document \(https://www.justice.gov/eoir/page/file/1076051/download\)](https://www.justice.gov/eoir/page/file/1076051/download) in the Resources Related to Electronic Case Management section of the [Internet Immigration Information \(I³\) site \(https://www.justice.gov/eoir/ECAS\)](https://www.justice.gov/eoir/ECAS).

Q: How will I know which cases are eligible for electronic filing?

A: All cases that you have submitted a Form EOIR-28 will be displayed for you in elinfo. Cases that are eligible for electronic filing will include an active upload button . If that option is greyed out, then the case is not eligible for electronic filing.

Q: Are there any file format or file size limits for uploading documents?

A: Yes, the application restricts file formats to PDF (including PDF/A) and JPG. Also, there is a 25MB file size limit per document/image file. We recommend scanning or creating PDF documents in black/white (i.e., grey scale) whenever feasible. This will help reduce the size of your document that you are trying to upload. Your file will also be scanned for viruses before being accepted.

Q: Can I view and download individual eROP documents in elinfo?

A: Yes, you can quickly locate and view a specific document within an eROP without downloading the entire eROP. Go to the List of Documents screen within My Cases to perform this action.

Q: Will DHS representatives electronically file documents in the same application as attorneys/accredited representatives?

A: No. EOIR has developed a dedicated DHS portal for DHS representatives to upload case initiating documents and supporting documents.

Q: Will there be training provided for external agencies?

A: Frequently asked questions (FAQs), instructional infographics, and a training video are posted on EOIR's [I³ site \(https://www.justice.gov/eoir/ECAS\)](https://www.justice.gov/eoir/ECAS). Attorneys/accredited representatives can also contact EOIR for tech support by sending an email to ECAS.TechSupport@usdoj.gov or calling 1-877-388-3842.

Q: What happens when documents are rejected after electronically filed?

A: If this occurs, EOIR will send a rejection notice to all parties.

Q: Can attorneys/accredited representatives file a group of documents in one upload or do they have to file each document as a separate submission in eInfo?

A: Each document must be uploaded separately.

Q: Is eInfo compatible with all browsers?

A: Users are able to navigate eInfo using popular browsers, such as Internet Explorer (IE), Chrome, and Firefox. However, EOIR's Tech Support only supports IE and Chrome. This means that users seeking eInfo technical assistance must use IE or Chrome browsers for EOIR to troubleshoot any issues.

Q: Do I still need to serve the opposing party if I electronically file my document with EOIR?

A: Yes. You must still serve the opposing party with a copy of any filings with EOIR by following current service procedures.

Q: Can pro se respondents file documents electronically?

A: Not at this time. Pro se respondents are encouraged to contact organizations that can provide legal assistance, such as filing forms and documents, on behalf of the respondent. For a list of recognized organizations, please see the pro bono and non-profit resource catalog located at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>, or request a list via mail using the address listed below:

Office of Legal Access Programs (OLAP)
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 1900.10
Falls Church, Virginia 22041

Q: I would like to upload a document that is marked classified/secret. Your application terms and conditions bar me from uploading this document. How can I make sure this becomes part of the official eROP?

A: You cannot electronically file classified material with EOIR. If the classified material is absolutely critical to a respondent's defense, then the classified material must be filed with the Department of Justice Litigation Security Group and the court must be provided with a Notice of Filing with the Classified Information Security Officer. For more information, please see <http://www.uscfc.uscourts.gov/sites/default/files/Classified-Case-Guidelines-Final-Version.pdf>

Q: I need to submit a piece of physical evidence (i.e., not a document or image) for a case. How should I do this?

A: Same process as today. Submit the evidence to the appropriate EOIR immigration court.

Q: Can I file an appeal electronically?

A: Not at this time. However, electronic filing of appeals with the Board of Immigration Appeals will be available in the future.

Q: What documents can be electronically filed at these courts?

A: All case-related documents except classified/secret documents.

Q: I just uploaded a document with the same file name I used on a previous filing on the same case. Will that overwrite the previously uploaded file or will your application catch the duplication?

A: No. The application can distinguish between the two, and it determines which document is the most recent.

Q: I need to submit a revised version of a previously uploaded and accepted document. What should I do?

A: Name the file so that it is obvious that this is a revision to the previously uploaded file (e.g., Motion A and Motion A revised 2018-02-15). Both submissions will be kept in the official eROP, but the record will show the revision.

Q: I tried to upload a file, but it appears eInfo was experiencing an outage at the time. Do I get a filing deadline extension?

A: All documents must comply with applicable filing deadlines. If eInfo is unavailable, then you must file a paper copy with the immigration court by the filing date that was provided by EOIR.

Q: I tried to upload a file, but I received a message that my file may contain a virus and the upload was not successful. What should I do now?

A: Our application cannot track virus scan-related rejections. Take a screenshot (i.e., capture) of the message if you believe it is an error. You may also want to print out your document, scan it in PDF format, and attempt to resubmit the document, or paper file the document with the relevant court.

Q: I want to add bookmarks to specific text within a document, but I do not have software that can do that. Will you accept unbookmarked documents?

A: Though bookmarks are helpful and encouraged, we will not reject your unbookmarked submission. However, you should submit a reference list of specific citations, with page numbers, for sections that are pertinent to your case.

Q: If I file paper documents with an ECAS pilot court, should I use separation sheets instead of indexing tabs?

A: Yes, when filing paper documents with an ECAS pilot court, parties are should use paper separators (i.e., a piece of paper with “Tab A” printed on it) instead of indexing tabs. This allows the immigration court to more easily scan the documents into the eROP.

eInfo Non-Electronic Filing Capabilities Frequently Asked Questions

Q: Will I be able to see all of my cases?

A: Attorneys and fully accredited representatives who have registered and received an EOIR ID will be able to view their client’s case information for all of their cases that they have entered an appearance (Form [EOIR-27](#) or Form [EOIR-28](#)) using their EOIR ID number. For cases that a user has linked to his or her EOIR ID, the information provided by the eInfo application is similar to the information provided on the Automated Case Information Hotline. Registered attorneys and fully accredited representatives will not be able to view cases that are not linked to EOIR ID numbers unless they submit an updated Form EOIR-27 or Form EOIR-28 containing their EOIR ID for these cases. If the case is associated with more than one EOIR ID, then both primary and secondary attorneys/fully accredited representatives will be able to view the cases. Both immigration court and BIA cases are viewable in eInfo.

Q: How is the available information the same as what is currently available by telephone via the Automated Case Information Hotline (previously known as the 1-800 phone number)?

A: Like the Automated Case Information Hotline, the eInfo application provides information on future hearings, case processing information for asylum applications,¹ decision information, and case appeals information. The decision information includes IJ decisions, as well as case appeal decisions, and decisions on Motions to Reopen (i.e., both immigration court and BIA jurisdiction). For future hearings, the date, time, type of hearing, immigration court, and name of IJ are provided.

Q: How is the available information different from what is currently available by telephone via the Automated Case Information Hotline (previously known as the 1-800 phone number)?

A: The main difference between the eInfo application and the Automated Case Information Hotline is that eInfo, for a given case, provides information on all proceedings not just the latest proceeding. For example, if there was a change of venue, that information is given on the prior

¹ Specifically, the eInfo application shows the number of days elapsed since the alien filed an asylum application, excluding any delays requested or caused by the alien. Please note that when adjudicating employment authorization applications, U.S. Citizenship and Immigration Services calculates the 180-day Asylum EAD Clock, which measures eligibility for employment authorization for asylum applicants. The number of days on the 180-day Asylum EAD Clock may be different from the number shown on this screen. For information on the calculation of employment authorization eligibility, please refer to the 180-day Asylum EAD Clock Notice, available at www.uscis.gov or at an immigration court clerk’s window.

proceeding, as well as the current proceeding. If there are multiple case appeals, every case appeal decision is provided, whereas the Automated Case Information Hotline only gives information on the latest case appeal. The same is true for Motions to Reopen. In addition, if the same alien has had multiple charging documents, the Automated Case Information Hotline only provides information on the case with the most recent charging document. In contrast, with certain restrictions, the eInfo application will provide information on past cases as long as those past cases have been associated with the user's EOIR ID.

One advantage that the eInfo application over the Automated Case Information Hotline is that registered attorney or fully accredited representative can see a list of his or her clients associated with their EOIR ID number. The list can be searched by the client's name as well as by alien registration number (A-Number). The list is also sortable and can be filtered by case status (i.e., pending, complete, or all). eInfo also contains a calendar function. However, unlike the Automated Case Information Hotline, eInfo currently provides information in English only, whereas the Automated Case Information Hotline provides information in either English or Spanish.

Q: What information will be available on the calendar function?

A: The calendar function shows future immigration court hearings for the registered attorney or fully accredited representatives' clients (individuals for which the attorney or representative has filed an appropriate Form EOIR-28 and with which the attorney or fully accredited representative has associated his/her EOIR ID number). The calendar will show either a monthly, weekly, or daily view. The immigration court hearing information provided is the same as what the Automated Case Information Hotline provides (i.e., date, time, type of hearing, immigration court, and IJ). While the Automated Case Information Hotline can only provide this information for a single alien at a time, eInfo's calendar view gives the opportunity to see all hearings for a given day, week, or month. If there are multiple clients for a single hearing, they will be grouped together in one block. If the attorney or fully accredited representative has immigration court hearings at different immigration courts, then the calendar can be filtered to show all hearings, or only one immigration court at a time.

Q: When I am on the calendar screen, I clicked on last month and I do not see any hearings, even though my clients had several hearings last month, why is this?

A: The calendar function only shows future hearings, so past hearings are no longer viewable on the calendar.

Q: Will I be able to view all appeals or just information for specific cases?

A: Those with an I³ account can view appeals and motions related to District Director (DD) and IJ decisions for cases that the attorney or accredited representative has entered an appearance using their EOIR ID number. Appeal and motion information associated with the alien registration number (A-Number) will also be available.

Q: What type of IJ appeal information is available for me to view and obtain?

A: Appeal information related to the selected case is available for viewing on the My Cases page by clicking on the Details tab to the left of each A-Number. A list of proceedings, with detailed information (see Details tab affiliated with each proceeding), will appear in the Proceeding Information section. Appeal information is then available by clicking on the Details tab. My Cases is also searchable by A-Number or by alien name.

Note: Affiliated DD Appeal information, if available, will appear in the DD Appeal Information section.

Q: What type of information is available for me to view and obtain in My DD Appeals?

A: Appeal decision information may be available for DD Appeals. On the My Cases page, scroll down to the My DD Appeals section. My DD Appeals is also searchable by A-Number or by Beneficiary/Applicant Name.

Q: What is the availability of the electronic copies of the BIA decisions, and if available, the IJ decisions?

A: Decision documents will be available as soon as it is feasibly possible after the decision date. If there is a question about a document's availability, please email ECAS.TechSupport@usdoj.gov for assistance. Please note that decisions that pre-date 2002 may not be available in electronic form. To obtain a copy of decisions not available within eInfo, a Freedom of Information Act (FOIA) request should be made in accordance with the procedures noted at: <https://www.justice.gov/eoir/foia-facts>.

Q: I saw one of my cases on the My Cases screen, however, it is no longer there. Why do I no longer see the case?

A: The My Cases screen, by default, only shows pending cases. If the IJ has issued a decision and your case is completed, it would not appear in the default setting. If you would like to see completed cases or all cases, click on the button to filter cases as either Completed or All.

Q: I do not see all of my cases. Why not?

A: You must first associate your cases with your EOIR ID by filing a form EOIR-27 or form EOIR-28 to access the case information through the eInfo application. If you have not associated the case with your EOIR ID, you will not be able to see any case-related information.

Electronic Record of Proceedings (eROP)

A major part of ECAS is creating a fully functional electronic case record (eROP), which will contain all case-related documents. EOIR has phased this in at the pilot sites listed below:

- San Diego, CA
- Denver, CO
- Atlanta, GA
- Baltimore, MD
- York, PA

Only case-related documents that originated electronically will be part of the eROP. In other words, existing paper-based case files are not being digitized, and only paper filings will be accepted and kept for those cases.

eROPs Frequently Asked Questions

Q: Can attorneys/representatives view previously uploaded or digitized case-related documents from their eInfo accounts?

A: Yes. EOIR will allow properly registered attorneys and accredited representatives, with an EOIR-27 or 28 on file, to request an electronic version of an entire Record of Proceeding. All official ROP files associated with that case will be compressed and provided electronically within 24 hours. The link to the eROP files will remain active for three days.

Q: Who can request and receive an eROP?

A: Attorneys or representatives who have an approved EOIR-27 or 28 for specific respondents will see an option to request a downloaded copy of an eROP in the individual case details in eInfo. If that option is not available, the case ROP is still maintained on paper, and the existing paper processes will remain in place.

Q: I am an EOIR-registered immigration attorney/accredited representative and I want to review an eROP before I agree to represent a respondent. How do I get a copy of an eROP without filing an EOIR-27 or 28?

A: Submit a request in person, accompanied by the respondent, at a participating court, or obtain a signed Certification of Identity form (DOJ-361) or Authorization to Release if unaccompanied by respondent, or submit a request through EOIR's Freedom of Information Act (FOIA) Service Center.

NOTE: Unless you have an EOIR-27 or 28 on file for a specific case, we will withhold any eROPs flagged as Do Not Release or Battered Spouse. For all other (i.e., unflagged) eROPs, we will withhold any documents within the eROP that are subject to a protective order.

Q: I want to review an eROP but I do not have permission from the respondent. How do I get a copy of an eROP?

A: To obtain an eROP for a case for which you are not the officially recognized attorney or representative of record, you may [request a copy via our FOIA Service Center \(https://www.justice.gov/oip/submit-and-track-request-or-appeal\)](https://www.justice.gov/oip/submit-and-track-request-or-appeal). These will be treated as third-party requests.

Q: What happens to the ROP when there is an accepted Motion for Change of Venue where the case moves from a Pilot site court (where the ROP is electronic) to a non-pilot site (paper based)?

A: When a case moves to a court where ROPs are maintained in paper files, the transmitting court will print the ROP document and create a paper ROP file which they will mail to the receiving court. Upon certification and confirmation that all files have been properly received, the case will proceed at the new court with the paper ROP.

Q: What happens to the ROP when there is an accepted Motion for Change of Venue where the case moves from a non-Pilot site (paper-based) to a Pilot site court (where the ROP is electronic)?

A: As is standard practice today, the transmitting court will package and ship the physical ROP to the receiving court. The case will remain in paper.