

Frequently Asked Questions (FAQs)

eRegistry

EOIR is establishing a mandatory electronic registry for attorneys and fully accredited representatives (“eRegistry”).¹ eRegistry is an online process to collect information that EOIR will use to maintain a centralized information repository of registered attorneys and fully accredited representatives. It is part of a long-term agency initiative to create an electronic case access and filing system for the immigration court and the Board of Immigration Appeals (“Board”).

After December 10, 2013, attorneys and fully accredited representatives will be required to complete the registry process as a condition to practice before EOIR. Registry applicants will need to create online profiles and enter certain biographical information. Then, they will need to appear at an EOIR location to complete the identification process. Thereafter, each registered attorney or registered fully accredited representative (“registrant”) will receive a unique EOIR ID number. Through eRegistry, EOIR will ensure that each registrant will be individually identified and associated with the registration information that he or she provided during registration.

At this time, registrants may choose to use eRegistry to electronically file the Notice of Entry of Appearance as Attorney or Representative before the Board of Immigration Appeals (“Form [EOIR-27](#)”) and the Notice of Entry of Appearance as Attorney or Representative before the Immigration Court (“Form [EOIR-28](#)”) in some situations.

Q: What is eRegistry?

A: eRegistry is an online process to collect information that EOIR will use to maintain a centralized information repository of registered attorneys and fully accredited representatives. eRegistry is the first step in a long-term initiative to create an electronic case access and filing system within EOIR. Registrants will receive an EOIR ID number. In order to be able to practice before an immigration court or the Board, all attorneys and fully accredited representatives must register by December 10, 2013.

Q: Why should I register with eRegistry?

A: All attorneys and fully accredited representatives must register with eRegistry in order to practice as a representative before the Immigration Court or the Board. eRegistry is part of a long-term plan to create an electronic case access and filing system for the Immigration Court and the Board. Upon implementation of eRegistry, registrants will be able to electronically file the Form [EOIR-27](#) and the Form [EOIR-28](#) in some situations.

Q: Am I required to register with eRegistry?

A: All attorneys and fully accredited representatives must register and will be able to begin registering with the eRegistry as of June 10, 2013. After December 10, 2013, all attorneys and fully accredited representatives must have completed the registration process in order to appear

¹ The electronic registration requirement does not apply to representatives who appear before EOIR’s Office of the Chief Administrative Hearing Officer.

as a representative before EOIR's Immigration Court and the Board of Immigration Appeals. Partially accredited representatives—who are only accredited to represent individuals before the Department of Homeland Security ("DHS")—law students, law graduates, reputable individuals, and accredited foreign government officials are not eligible for eRegistry at this time.

Q: What happens if I do not register?

A: If an attorney or fully accredited representative who has cases pending with EOIR fails to register by December 10, 2013, EOIR may administratively suspend that individual from practicing before the agency. An attorney or fully accredited representative subject to administrative suspension for this reason can resume practicing before EOIR upon completing the registration process. While administrative suspension, on its own, is not disciplinary in nature, an attorney or fully accredited representative's multiple attempts to appear before EOIR without registration may result in disciplinary sanctions. See [8 CFR 1003.101 et seq.](#)

Q: Is it possible to appear in Immigration Court if I do not register?

A: An Immigration Judge may permit an unregistered attorney or unregistered fully accredited representative to appear at one hearing, but this will occur only under rare and extraordinary circumstances. In order to request that an Immigration Judge allow him or her to appear at a hearing without having registered, the attorney or fully accredited representative must first, on the record, provide the Immigration Judge with the required registration information. In such circumstances, the attorney or fully accredited representative must complete the registration process without delay after the hearing at which he or she is permitted to appear.

Q: Is it possible to appear before the Board if I do not register?

A: No.

Q: Who is an attorney for the purposes of eRegistry?

A: EOIR defines an attorney as "any person who is eligible to practice law in and is a member in good standing of the bar of the highest court of any State, possession, territory, or Commonwealth of the United States, or of the District of Columbia, and is not under any order suspending, enjoining, restraining, disbaring, or otherwise restricting him in the practice of law." [8 C.F.R. §1001.1\(f\)](#).

Q: Who is a fully accredited representative for the purposes of eRegistry?

A: A fully accredited representative is a non-attorney who is designated by a recognized organization and who the Board has accredited to represent individuals before both DHS and EOIR. All accredited representatives must be affiliated with an organization that has received recognition by the Board. See 8 C.F.R. §§ [1001.1\(j\)](#), [1292.1\(a\)\(4\)](#), and [1292.2\(d\)](#).

Q: Do partially accredited representatives, law students, law graduates, reputable individuals, or accredited foreign government officials need to register?

A: No. At this time, EOIR is only requiring attorneys and fully accredited representatives to register. Please note that partially accredited representatives, law students, law graduates, reputable individuals, or accredited foreign government officials will not be able to register at this time and should not attempt to do so.

Q: Why aren't partially accredited representatives required to register?

A: At this time, EOIR is only requiring registration for those representatives who are permitted to practice before EOIR's Immigration Court and the Board. Since partially accredited representatives are only permitted to represent individuals before DHS, EOIR is not permitting those individuals to register during this initial phase.

Q: Does a law firm or recognized organization need to register?

A: No. EOIR's regulations provide that individual attorneys or fully accredited representatives, not law firms or recognized organizations, represent individuals. Accordingly, law firms and recognized organizations will not be able to register and should not attempt to do so.

Q: When can I register with eRegistry?

A: Attorneys and fully accredited representatives will be able to begin registering with eRegistry on June 10, 2013.

Q: How do I register with eRegistry?

A: Registration is a two-step process, which includes online submission of required information and an in-person appearance at an EOIR location to validate the registry applicant's identity to EOIR. Registry applicants are responsible for beginning the first step of the eRegistry process by submitting information online. Registration is complete once EOIR validates the identity of a registry applicant.

Attorneys and fully accredited representatives begin the registration process by selecting their relevant account type, creating a UserId and password, and answering password-related security questions. Next, attorneys and fully accredited representatives follow the on-screen instructions to enter and submit the requested information. After completing his or her online submission, an attorney or fully accredited representative will need to appear at an immigration court location or the Board to present photo identification, so that EOIR can verify the registry applicant's identity. Once that step is completed, EOIR will notify the registry applicant that his or her account has been activated.

- Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: What information do I need to provide when registering?

A: Attorneys: EOIR requires that attorneys provide the following information when registering:

- name;
- date of birth;
- business address(es);
- business telephone number(s);
- e-mail address; and
- bar admission information (including bar number, if applicable) for all the jurisdictions in which they are licensed to practice, including those in which they are inactive.

Please note that if an attorney is licensed in a jurisdiction that does not provide bar numbers, he or she will not be required to submit a bar number for that jurisdiction. Attorneys may also enter

the name of their business or law firm, though the resulting eRegistry account will be for the individual attorney and not the business or law firm.

Accredited representatives: EOIR requires that fully accredited representatives provide the following information when registering:

- name;
- date of birth;
- name(s) of all the recognized organization(s) with which the representative is fully accredited;
- business address(es);
- business telephone number(s); and
- e-mail address.

Q: What happens after I submit my information?

A: EOIR will process the information and communicate with the registry applicant via e-mail. First, EOIR will send an e-mail to the registry applicant with instructions for the applicant to appear at an immigration court location or the Board to complete the identity validation process. After the registry applicant successfully completes the identity validation process, EOIR will then send an e-mail notifying the registrant that it has activated his or her account, and will provide an EOIR ID number.

Q: Why is there a requirement to show government-issued photo identification at a physical immigration court location or the Board of Immigration Appeals?

A: Registry applicants are required to show government-issued photo identification at a physical EOIR location so that EOIR personnel can complete the individual's identity verification process prior to providing that individual access to a database that contains personally identifiable information (PII). EOIR takes the protection of and access to PII seriously, and requiring a visual in-person identity check is a critical step in safeguarding this information.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: What security mechanisms does EOIR have in place to protect my personal information?

A: EOIR takes the security of PII very seriously, which is why it is employing an in-person identity validation process. Use of this process eliminates the need for EOIR to collect and maintain evidence of identity. Use of the eRegistry will be limited to those attorneys and fully accredited representatives who have completed the identity validation step. The eRegistry will require all users to enter a UserID and password for each session. Each session will occur on an encrypted connection to protect data during transmission. The database will be stored on a fully secured server created and administered in compliance with the Federal Information Security Management Act of 2002. A user will only have access to his or her own information. In addition, the method of generating and maintaining UserIDs and passwords is one of numerous safeguards EOIR uses to protect PII information. Registrants should contact EOIR immediately at eRegistration.support@usdoj.gov if they suspect their account has been compromised.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: I live and practice in a remote location that is not near any immigration court location or the Board of Immigration Appeals. Where do I go to verify my identity?

A: All registry applicants are required to appear in person at a physical EOIR location to comply with the identity verification requirement. They may choose any designated EOIR location at which to appear.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: Why doesn't EOIR allow for identity verification via video teleconference?

A: DOJ Order 2610.2B requires that identity verification be done in person. EOIR has been advised to apply the same standard for this process as is used for government and contractor personnel. Accordingly, in order to meet federal identity verification requirements for permitting electronic access to PII, all registry applicants must appear in person at a designated EOIR location.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: Why doesn't EOIR assign additional staff to my local hearing location to conduct identity verification?

A: Budget constraints prohibit EOIR from sending personnel to all hearing locations for identity verification purposes.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: Will there be specific dates and times for different groups of practitioners to come for identity verification so that we do not all come at the same time?

A: EOIR will arrange for identity verification at certain immigration court locations over a period of time in order to facilitate a smooth identity verification process.

Please see <http://www.justice.gov/eoir/engage/eRegistration.htm> for more information about the photo identification process.

Q: Will an online directory of all registered attorneys and fully accredited representatives be publicly available?

A: No. EOIR will not have an online directory of registrants available to the public.

Q: What is the EOIR ID number?

A: The EOIR ID number is a unique identifier given to each registrant. Each registrant is required to include his or her EOIR ID number when filing a Form [EOIR-27](#) or a Form [EOIR-28](#), whether filing electronically or on paper forms.

Q: How long after registering will I have to wait to use the system?

A: After registering, an attorney or fully accredited representative will need to appear at an EOIR location to present photo identification so that EOIR can verify the registry applicant's identity. Once that step is completed, EOIR will notify the registrant by e-mail that his or her account has been activated and provide him or her with an EOIR ID number.

Q: After I register, will I be able to file electronic versions of the Form EOIR-27 and the Form EOIR-28?

A: Yes. Attorneys and fully accredited representatives will have the option to electronically file a notice of entry of appearance using either the Form [EOIR-27](#) or the Form [EOIR-28](#). If registrants file electronically, they will not need to file paper versions of these forms. Registrants who electronically file the Form [EOIR-27](#) and the Form [EOIR-28](#) are still required to serve DHS with a printed copy of the completed form. Electronic filing is not mandatory and EOIR will also continue to accept paper submissions of the Form [EOIR-27](#) and the Form [EOIR-28](#). At this time, immigration practitioners who are not required to register will not be able to file these forms electronically and must enter their appearances using the paper Form [EOIR-27](#) or Form [EOIR-28](#).

Q: Are there any instances where EOIR will not accept an electronic filing of a Form EOIR-27 or Form EOIR-28?

A: Yes.

Form EOIR-27: Attorneys and fully accredited representatives who are filing the Form [EOIR-27](#) with appeals from the following decisions may not electronically submit the Form [EOIR-27](#) at this time:

- decisions involving fines and penalties, [8 C.F.R. § 1003.1\(b\)\(4\)](#); and
- decisions of adjudicating officials in practitioner disciplinary proceedings, [8 C.F.R. § 1003.1\(b\)\(13\)](#).

Attorneys and fully accredited representatives who are filing the Form [EOIR-27](#) with appeals from the following decisions should not electronically submit the Form [EOIR-27](#) unless the DHS

has transferred the record to the Board:

- appeals from a decision of a DHS officer, [8 C.F.R. § 1003.1\(b\)\(5\)](#);
- decisions on denials of advance permission to enter the United States, [8 C.F.R. § 1003.1\(b\)\(6\)](#); and
- decisions of a DHS district director regarding bond. [8 C.F.R. § 1236.1\(d\)\(3\)\(ii\)](#).

The Board will reject the electronic submission of the Form [EOIR-27](#) for cases that DHS has not transferred the record to the Board.

Form EOIR-28: Attorneys and accredited representatives who are filing the Form [EOIR-28](#) in the following situations may not electronically submit the Form [EOIR-28](#) at this time:

- 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 with the Immigration Court.;
- motions to reopen, [8 C.F.R. § 1003.23](#);
- motions to reconsider, [8 C.F.R. § 1003.23](#);
- motions to recalendar proceedings that are administratively closed;
- motions to substitute counsel;
- cases which are pending on appeal before the Board of Immigration Appeals (A Form [EOIR-27](#) should be filed with the Board of Immigration Appeals);
- cases in which there are more than one open proceeding; and
- disciplinary proceedings, [8 C.F.R. § 1003.106\(a\)\(2\)\(iii\)](#).

Attorneys and accredited representatives who electronically file a Form [EOIR-28](#) close to a hearing may be required to complete a paper Form [EOIR-28](#) at the hearing.

Attorneys and accredited representatives who electronically file a Form [EOIR-27](#) or a Form [EOIR-28](#) are still required to serve DHS with a printed copy of the completed Form [EOIR-27](#) or Form [EOIR-28](#).

Q: Does electronic filing of Form EOIR-27 or Form EOIR-28 notify DHS of my representation of an alien?

A: No. Attorneys and fully accredited representatives who electronically file a Form [EOIR-27](#) or Form [EOIR-28](#) are still required to serve DHS with a printed copy of the completed Form [EOIR-27](#) or Form [EOIR-28](#). They will be able to print a copy of the electronically completed form to meet this requirement.

Q: Will I still need to file with the Immigration Court a motion to remove myself as the named representative of an alien?

A: Yes. The filing of a Form [EOIR-28](#) on behalf of an alien constitutes entrance of appearance for all proceedings, including removal and bond. Once an attorney or fully accredited representative has made an appearance, that individual has an obligation to continue representation until such time as a motion to withdraw or substitute counsel has been granted by the Immigration Court.

Q: If I have registered with EOIR, can I update or change my address(es) in the eRegistry?

A: Yes. Registrants can add a new address to the eRegistry by logging into their eRegistry account. Please note that adding a new address to eRegistry does not effectuate an address change with the Immigration Court or the Board.

Q: Do I need to file a new Form EOIR-27 or Form EOIR-28 to effectuate an address change with EOIR?

A: Yes. Practitioners are under an obligation to notify the Immigration Court and the Board of any change in their address. EOIR will continue to send all official case-related correspondence to the address included on the most recent Form [EOIR-27](#) or Form [EOIR-28](#) in each of the practitioners' cases. EOIR requires immigration practitioners to submit a separate Form [EOIR-](#)

[27](#) or Form [EOIR-28](#) for each of their cases to ensure that each case file reflects the most current address.

Q: Can I effectuate an address change with EOIR through eRegistry?

A: Yes. Registrants may change their addresses electronically by completing a two-step process. First, registrants must log in to their eRegistry account and add the new address to their profile. Second, registrants must then electronically file the Form [EOIR-27](#) or the Form [EOIR-28](#) in each of their cases using the newly added address and checking the “new address” box on the form. As with all submissions of the Form [EOIR-27](#) or the Form [EOIR-28](#), registrants are still required to serve DHS with a printed copy of the completed Form [EOIR-27](#) or Form [EOIR-28](#).

Registrants should note that adding a new address to their eRegistry profiles will not serve to update their address with the Immigration Court or the Board unless and until the Form [EOIR-27](#) or the Form [EOIR-28](#) has been filed in each of their cases. Similarly, registrants who choose to file a paper Form [EOIR-27](#) or Form [EOIR-28](#) to update their address with the Immigration Court or the Board, will still need to add that new address to their Registry profile by logging into their eRegistry account and adding the new address to their profile.

In matters in which EOIR does not yet accept electronic filings of the Form [EOIR-27](#) or the Form [EOIR-28](#), registrants will need to file paper versions of those forms with the Immigration Court or the Board to complete the address change.

Q: If I file electronically with the Immigration Court, will I be able to update my client’s address electronically?

A: No. If a registrant elects to submit a Form [EOIR-28](#) electronically, the alien’s address information will be automatically entered into the address fields. If that address information is not the alien’s current address, the alien should submit an Alien’s Change of Address Form/Immigration Court (“Form [EOIR-33/IC](#)”) to the Immigration Court. Please see the instructions to the Form [EOIR-33/IC](#) for further information.

Q: Do other government entities have access to eRegistry?

A: No. Only EOIR will have access to the information entered through eRegistry. EOIR will, however, continue to share case-related representative information contained in the EOIR case system database with other government entities as allowed by the Privacy Act and the EOIR system of records notice.

Q: Can my paralegal/assistant access my account?

A: While EOIR cannot prevent registrants from sharing their UserIDs and passwords, it should be noted that registered attorneys and registered fully accredited representatives will be held responsible for any and all activity conducted under their account.

Q: Who do I contact for technical assistance?

A: For technical assistance, please contact EOIR at eRegistration.support@usdoj.gov.

Q: When will I be able to submit motions via an online electronic filing process?

A: At this time, EOIR does not have a process in place to electronically submit motions online, nor does it have a date by which such a process may be implemented.

Q: When will I be able to view my client's Record of Proceedings online?

A: At this time, representatives do not have the ability to review a Record of Proceedings electronically, and EOIR does not have a date by which such a capability might be implemented.