

# DHS ECAS Frequently Asked Questions

## **EOIR Courts & Appeals System 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 court sizes (i.e., small and large). EOIR also took into consideration immigration court 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.

### **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.

## **Expanded Electronic Filing and DHS Portal Frequently Asked Questions**

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

**A:** Any authorized DHS staff member from any DHS immigration component. Listed below are the immigration courts that accept electronic files as part of EOIR's pilot program:

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

**Q: How do I upload documents in the DHS Portal?**

**A:** Please reference the Upload an Initiation Document and Upload a Supporting Document sections of the [DHS Portal instructional infographic](https://www.justice.gov/eoir/page/file/1076016/download) (<https://www.justice.gov/eoir/page/file/1076016/download>).

**Q: Will documents with electronic signatures be accepted?**

**A:** Yes, authorized DHS representatives can upload documents using an approved electronic signature format. For more information, please reference the [Terms and Conditions 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 EOIR's [i<sup>3</sup> site](https://www.justice.gov/eoir/ECAS) (<https://www.justice.gov/eoir/ECAS>).

**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: Are authorized DHS representatives able to view and download individual eROP documents in the DHS Portal?**

**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 to perform this action.

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

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

**Q: As an authorized DHS representative, can I upload supporting documents at the same time I am uploading initiation documents?**

**A:** Not at this time. The initiation document must be uploaded first. After EOIR provides notice of initiation document acceptance, then supporting documents can be uploaded.

**Q: Which component within DHS is responsible for electronically filing initiation documents and/ or supporting documents during the pilot?**

**A:** EOIR allows any authorized DHS staff member from any immigration component to electronically file. DHS components determine the appropriate business process for which authorized users may file each document with EOIR.

**Q: My DHS office would like to provide input on the rollout plan, where can we send the information?**

**A:** You can provide your input to EOIR by sending an email to [ECAS.TechSupport@usdoj.gov](mailto:ECAS.TechSupport@usdoj.gov). Additionally, once the pilot program starts at your immigration court, you will receive feedback surveys from EOIR via email.

**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: Will there be training provided for external agencies?**

**A:** Frequently asked questions (FAQs), instructional infographics, and a training video are posted on EOIR's [i<sup>3</sup> site](https://www.justice.gov/eoir/ECAS) (<https://www.justice.gov/eoir/ECAS>). Authorized DHS users can also contact EOIR for tech support by sending an email to [ECAS.TechSupport@usdoj.gov](mailto:ECAS.TechSupport@usdoj.gov) or calling 1-877-388-3842.

**Q: Is there a delay between electronically filing a case initiation document and supporting documents?**

**A:** For the pilot, a case initiation document must be manually accepted by EOIR court staff before authorized DHS users can file electronic supporting documents. EOIR court staff will prioritize the acceptance of all initiation documents to ensure this process is as timely as possible.

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

**A:** If this occurs, EOIR will send a rejection notice to the filer and DHS' Office of the Principal Legal Advisor (OPLA). If the rejection relates to a supporting document, then the rejection notice is also added to the eROP.

**Q: Can DHS users file a group of documents in one upload or do they have to file each document as a separate submission in the DHS Portal?**

**A:** Each document must be uploaded separately.

**Q: Is the DHS Portal compatible with all browsers?**

**A:** Users are able to navigate the DHS Portal 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 DHS Portal technical assistance must use IE or Chrome browsers for EOIR to troubleshoot any issues.

**Q: Can DHS users see final immigration judge decisions?**

**A:** Yes, once the decision is available in the eROP, DHS users may request to download the eROP and view the final immigration judge (IJ) decision. Additionally, DHS OPLA will receive IJ decision as an attachment, via email, when the decision is added to the eROP.

**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: 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 physical evidence to the appropriate EOIR immigration court. For more information, please reference the [ECAS User Manual](https://www.justice.gov/eoir/page/file/1080406/download) (<https://www.justice.gov/eoir/page/file/1080406/download>) in the Resources Related to Electronic Case Management section of the [3<sup>rd</sup> site](https://www.justice.gov/eoir/ECAS) (<https://www.justice.gov/eoir/ECAS>).

**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 different submissions 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 a 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 the DHS Portal was experiencing an outage at the time. Do I get a filing deadline extension?**

**A:** All documents must comply with applicable filing deadlines. If the DHS Portal 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 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.

## **Electronic Record of Proceedings (eROPs)**

A major part of ECAS is creating eROPs that will contain all case-related documents from initiating documents, such as Notices to Appear (Form I-862), to decisions. 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.

## **eROP Frequently Asked Questions**

**Q: Can DHS users view previously uploaded or digitized case-related documents from the DHS accounts?**

**A:** Yes. EOIR will allow registered DHS users to request an electronic version of an entire ROP. All official eROP files associated with that case will be compressed and provided electronically within 24 hours. The link to download eROP files will remain active for 24 hours.

**Q: Who can request and receive an eROP?**

**A:** Registered authorized DHS users. They will see an option to request a downloaded copy of an eROP in the individual case details in the DHS Portal. If that option is not available, the case ROP is still maintained on paper, and the existing paper processes will remain in place.

**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 (i.e., where the ROP is electronic) to a non-pilot site court (i.e., 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 court (i.e., paper-based) to a pilot site court (i.e., 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.