

APPEARANCES An appearance shall be filed on EOIR Form-28 by the attorney or representative appearing in each case before the BIA. A separate appearance must be filed with an appeal to the BIA (see 8 C.F.R. 3.36(d)), even though the attorney or representative may have appeared in the case before the Immigration Judge or the Immigration and Naturalization Service. When an appearance is made by a person acting in a representative capacity, his/her personal appearance or signature shall constitute a representation that, under the provisions of 8 C.F.R. Chapter 3, he/she is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required.

AVAILABILITY OF RECORDS -During the time a case is pending, a party to a proceeding or his/her attorney or representative shall be permitted to examine the Record of Proceeding in the Office of the Immigration Judge having administrative control over the Record of Proceeding, in accordance with the standard procedures of that office.

REPRESENTATION -A person entitled to representation may be represented by any of the following:

- (1) Attorneys in the United States. An "attorney" is defined in 8 C.F.R. 1.1(f).
- (2) Law students and law graduates not yet admitted to the bar as provided in 8 C.F.R. 292.1(a)(2).
- (3) Reputable individuals as defined in 8 C.F.R. 292.1(3).
- (4) Accredited representatives representing an organization as described in 8 C.F.R. 292.2.
- (5) Accredited officials as defined in 8 C.F.R. 292.1(5).

"THIS FORM MAY NOT BE USED TO REQUEST RECORDS UNDER THE FREEDOM OF INFORMATION ACT OR THE PRIVACY ACT. THE MANNER OF REQUESTING SUCH RECORDS IS CONTAINED IN 28 C.F.R. 16.1-16.11 AND APPENDICES."